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No. 84-823

In the Supreme Court of the United States

OCTOBER TERM, 1984

UNITED STATES OF AMERICA, PETITIONER

v.

JOHN DOE No. 462

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

JOINT APPENDIX

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PETITION FOR A WRIT OF CERTIORARI FILED NOVEMBER 21, 1984
CERTIORARI GRANTED JANUARY 21, 1985

SHPP

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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA

In Re: Grand Jury 83-2

UNITED STATES

vs.

JOHN DOE No. 462

RELEVANT DOCKET ENTRIES

DATE	PROCEEDINGS
1984	
Apr. 10	NOTICE returnable 4-13-84 together with MOTION of Reckmeyer to Quash Subpoenas Duces Tecum in part and Protective Order filed by deft. cs
Apr. 10	BRIEF in Support of Motion to Quash Subpoenas Duces Tecum in Part and for Protective Order together with Exhibits filed by deft. cs
Apr. 13	ORDER denying motion to quash (AVB) cs
Apr. 13	ORDER of Immunity (AVB) cs
Apr. 13	MOTION together with Exhibits—filed by U.S. cs
Apr. 13	GOVERNMENTS RESPONSE in Opposition to Reckmeyer's Motion to Quash and for a Protective Order filed by U.S. cs
Apr. 19	MEMO Opinion and ORDER—(AVB)—filed cs
May 4	TRANSCRIPT of April 13, 1984—filed cs
May 18	NOTICE of Appeal—filed by U.S. cs

UNITED STATES COURT OF APPEALS

FOR THE FOURTH CIRCUIT

No. 84-1527

UNITED STATES OF AMERICA, APPELLANT

v.

(UNDER SEAL)

RELEVANT DOCKET ENTRIES

BRIEF AND APPENDIX	
APPX	6-6-84 6 filed. CS-sc (stored in vault)
A/P BRF	6-6-84 12 filed. CS-sc (stored in vault)
E/R BRF	6-26-84 12 filed. PM/mb (stored in vault)
REPLY	7-2-84 12 filed. CS/mb (stored in vault)

SUMMARY OF EVENTS

ARGUMENT 7/11/84
REOPENED
PANEL (JDP) FDM SJE
OPINION Sept. 24, 1984
JUDGMENT Sept. 24, 1984
DISPOSITION aff P jrg

MANDATE ISSUED
11-2-84 lgs
RECORD RETURNED
11-2-84 lgs
CERTIORI 11/27/84 84-823
Granted 1/21/85 lgs

DATE	FILINGS—PROCEEDINGS
5/22/84	CASE docketed. ROA filed. (wu)
5/24/74	ORDER expediting appeal for briefing and oral argument; A's due 6/8/84—tentatively cal. for July term of court, filed. SAR: gac Copies to Dowd-Lipps; Welch; Hausen; Ramsey; Tandy.
6/27/84	MOTION (FF-71) to dismiss appeal for lack of jurisdiction of E, filed SAR: zyj Transmitted to JDP/FDM/SJE on 6/28/84.
7/9/84	MEMORANDUM of A in opposition to E's motion to dismiss appeal, filed (SAR: jm) Submitted directly to panel in New Bern.
10/4/84	MOTION of United States (JJ-20) for an ext. of time to 11/2/84 to file pet. for rehearing or pet. for rehearing with sugg. for rehearing in banc, filed. (jd)
10/5/84	ORDER granting motion JJ-20. A's pet. for rehearing due 11/2/84. (BMM:jd) Copy to counsel.
2/21/85	Record on Appeal in four (4) volumes transmitted to Supreme Court. lgs

In the United States District Court for the Eastern District of Virginia, Alexandria Division

UNITED STATES OF AMERICA

v.

CRIMINAL NO.

CHRISTOPHER FREDERICK RECKMEYER a/k/a "The Boss" a/k/a "The Rug Man" a/k/a "Big Brother" (Counts 1, 2, 7, 10, 12, 22, 24, 25, 26, 27, 28, 29, 30, 31)	Count 1: Count 2: Count 3:	21 USC 846 21 USC 848 21 USC 841(a)(1) 18 USC 2
ROBERT BRUCE RECKMEYER a/k/a "Little Brother" a/k/a "Robo" a/k/a "Blondie" (Counts 1, 2, 3, 4, 5, 6, 8, 9, 13, 14, 15, 16, 17, 18, 19, 20, 23, 39, 40, 41, 42, 43, 47, 48)	Count 4: Count 5: Count 6:	21 USC 841(a)(1) 18 USC 2 21 USC 841(a)(1) 18 USC 2 21 USC 841(a)(1) 18 USC 2
GREGORY ALAN JARRETT a/k/a "Scott" a/k/a "Wild Man" (Counts 1, 13, 14, 15, 16, 17)	Count 7: Count 8:	21 USC 841(a)(1) 18 USC 2 21 USC 841(a)(1) 18 USC 2
STEPHEN KING WORTH a/k/a "Patrick Nelson Pine"		

a/k/a "Patrick Bartley"	Count 9:	21 USC 841(a)(1)
a/k/a "Hippy Steve"		18 USC 2
(Counts 1, 32, 33)	Count 10:	21 USC 841(a)(1)
		18 USC 2
BRUCE WAYNE THOMASON		
a/k/a "Loose Bruce"		
a/k/a "Troy Clayton"	Count 11:	21 USC 841(a)(1)
(Counts 1, 2, 11, 12, 21, 44, 45, 46)		18 USC
	Count 12:	21 USC 841(a)(1)
THOMAS L. TUCKER		18 USC 2
a/k/a "Thomas E. Hawkins"		
(Counts 1, 7)	Count 13:	18 USC 371
PATRICK RYON HENDRY	Count 14:	26 USC 5861(d) & 5871
(Count 1)		
LEON D. HARVEY		
a/k/a "Smiles"	Count 16:	26 USC 5861(e) & 5871
(Counts 1, 8)		
	Count 17:	26 USC 5861(e) & 5871
PATRICIA L. RECKMEYER		
(Counts 1, 34, 35, 36, 37, 38)		
JAMES SAMUEL ADAMS	Count 18:	18 USC 922(a)(5)
(Count 1)		
	Count 19:	18 USC 922(a)(5)

DOUGLAS GRAIG COCHRAN (Counts 1, 12)	Count 20:	31 USC 5316 31 CFR 103.23(a) 31 CFR 103.25(b) 31 CFR 103.49
DAVID WINDSOR COOK (Count 1)		
CHARLES ARTHUR FRIEND, III a/k/a "Carlos"	Count 21:	18 USC 1014
(Counts 1, 10)	Count 22:	18 USC 1952(a)(3)
		18 USC 2
TIMOTHY PATRICK RUDDY a/k/a "Douglas Paul Harrison" a/k/a "Richard Dale Andrews"	Count 23:	18 USC 1952(a)(3)
		18 USC 2
(Counts 1, 12)	Count 24:	26 USC 7206(1)
	Count 30:	26 USC 7206(1)
ANDREWS JAMES MEYERS a/k/a "Carl"		18 USC 2
(Counts 1, 12, 13)	Count 25:	26 USC 7206(1)
		18 USC 2
JOHN CHRISTOPHER ROBINSON a/k/a "Chris Robertson"	Count 26:	26 USC 7206(2)
(Counts 1, 3)		18 USC 2
WILLIAM HARRIS SHARPE a/k/a "John Raymond Pavlovic"	Count 27:	26 USC 7206(1)
		18 USC 2

a/k/a "William, Schaffer"		
a/k/a "William Stewart Sharpe"	Count 28:	26 USC 7206(1)
a/k/a "William Simpson"		18 USC 2
a/k/a "J.R. Shaffer"		
a/k/a "William Harris"	Count 29:	26 USC 7206(2)
(Counts 1, 10)		
	Count 30:	26 USC 7206(1)
CHARLES ANTHONY SWEENEY		
a/k/a "David Eugene Reich"	Count 31:	26 USC 7206(1)
a/k/a "Tony"		
(Count 1)	Count 32:	26 USC 7206(1)
		18 USC 2
THOMAS WALLACE ASHTON		
(Counts 1, 3)	Count 33:	18 USC 2, 6 USC 7206(1)
		18 USC 2
SALVATORE F. VASTOLA		
a/k/a "Sal"	Count 34:	26 USC 7206(1)
(Count 1)		18 USC 2
CRAIG DOUGLAS SMITH	Count 35:	26 USC 7206(1)
a/k/a "Donald Fisher"		18 USC 2
a/k/a "Smitty"		
(Count 1)		
STEPHEN SCOTT JOHNSON	Count 36:	26 USC 7206(1)
a/k/a "Joseph Scott Henderson"		18 USC 2
a/k/a "Dan Bowen"		

(Counts 1, 13)	Count 37:	26 USC 7206(1)
		18 USC 2
RICHARD FRANCIS VAUGHN (Count 1)	Count 38:	26 USC 7206(1)
DONALD SHIRACK a/k/a "Don Shipley"	Count 39:	26 USC 7206(1)
a/k/a "Danial Shipley" (Count 1)	Count 40:	26 USC 7206(1)
FRANCOISE NASTA	Count 41:	26 USC 7206(1)
a/k/a "Frankie" (Count 1)	Count 42:	26 USC 7206(2)
JAN RICHARD GILLIE	Count 43:	26 USC 7206(1)
(Count 1)	Count 44:	26 USC 7206(1)
		18 USC 2
	Count 45:	26 USC 7206(1)
		18 USC 2
	Count 46:	26 USC 7206(1)
		18 USC 2
	Count 47:	18 USC 1503
	Count 48:	18 USC 1622

INTRODUCTION

At all times material to this Indictment:

1. CHRISTOPHER F. RECKMEYER (hereinafter referred to as "CHRIS RECKMEYER") was the owner of Crancy's, a sole proprietorship.

2. CHRIS RECKMEYER was the president of Crancy's, Inc., a corporation.

3. CHRIS RECKMEYER was the president of Organic Foods, Inc., a corporation.

4. CHRIS RECKMEYER was the only salesman of Unlimited Investments, Inc., a corporation.

5. CHRIS RECKMEYER was the co-owner of BCP, Inc., a corporation.

6. ROBERT BRUCE RECKMEYER (hereinafter referred to as "ROBERT RECKMEYER") was the president of United Trade, Inc., a corporation which also uses the name of "East West Design".

7. ROBERT RECKMEYER was the owner of Robert Bruce Products, sole proprietorship.

8. ROBERT RECKMEYER was the president of Atlantis Stone Corporation, a corporation.

9. PATRICK RYON HENDRY (hereinafter referred to as "PAT HENDRY") was the President of Patrick R. Hendry, Inc., a corporation.

10. PAT HENDRY was the president of the Royal Stone Corporation, a corporation.

11. BRUCE WAYNE THOMASON (hereinafter referred to as "BRUCE THOMASON") was the owner of Mainland Carpets, a sole proprietorship.

12. BRUCE THOMASON was the president of Mainland Carpets, Inc., a corporation.

13. ROBERT GOVERN was the president of G & M Investment Enterprises, Inc., a corporation.

14. STEPHEN KING WORTH (hereinafter referred to as "STEVE WORTH") was the owner of S & M Products, a sole proprietorship.

15. JAMES SAMUEL ADAMS (hereinafter referred to as "JIM ADAMS") was the owner of Eastern Investments, a sole proprietorship.

16. JIM ADAMS was the owner of Everyday Man Products, a sole proprietorship.

17. THOMAS L. TUCKER (hereinafter referred to as "TOM TUCKER") was the owner of New China Rugs, a sole proprietorship.

COUNT 1

THE GRAND JURY CHARGES THAT:

A. From in or about 1974, the exact date being to the grand jury unknown, and continuously thereafter up to and including the date of this Indictment, in the Eastern District of Virginia and elsewhere,

CHRISTOPHER FREDERICK RECKMEYER, II
a/k/a "The Boss"
a/k/a "The Rug Man"
a/k/a "Big Brother"
(hereinafter referred to as CHRIS RECKMEYER)
ROBERT BRUCE RECKMEYER,
a/k/a "Little Brother"
a/k/a "Robo"
a/k/a "Blondie"
(hereinafter referred to as ROBERT RECKMEYER)
GREGORY ALAN JARRETT,
a/k/a "Scott"
a/k/a "Wild Man"
(hereinafter referred to as GREG JARRETT)
STEPHEN KING WORTH,
a/k/a "Patrick Nelson Pine"
a/k/a "Patrick Bartley"
a/k/a "Hippy Steve"
(hereinafter referred to as STEVE WORTH)
BRUCE WAYNE THOMASON,
a/k/a "Loose Bruce"
a/k/a "Troy Clayton"
(hereinafter referred to as BRUCE THOMASON)
THOMAS L. TUCKER,
a/k/a "Thomas E. Hawkins"
(hereinafter referred to as TOM TUCKER)
PATRICK RYON HENDRY
(hereinafter referred to as PAT HENDRY)
LEON D. HARVEY
a/k/a "Smiles"
(hereinafter referred to as "LEE HARVEY")

PATRICIA L. RECKMEYER
(hereinafter referred to as PATRICIA RECKMEYER)
JAMES SAMUEL ADAMS
(hereinafter referred to as JIM ADAMS)
DOUGLAS CRAIG COCHRAN,
(hereinafter referred to as DOUGLAS COCHRAN)
DAVID WINDSOR COOK
(hereinafter referred to as DAVID COOK)
CHARLES ARTHUR FRIEND, III,
a/k/a "Carlos"
(hereinafter referred to as CHARLES FRIEND)
TIMOTHY PATRICK RUDDY,
a/k/a "Douglas Paul Harrison"
a/k/a "Richard Dale Andrews"
(hereinafter referred to as TIM RUDDY)
ANDREW JAMES MEYERS,
a/k/a "Carl"
(hereinafter referred to as CARL MEYERS)
JOHN CHRISTOPHER ROBINSON,
a/k/a "Chris Robertson"
(hereinafter referred to as CHRIS ROBERTSON)
WILLIAM HARRIS SHARPE
a/k/a "John Raymond Pavlovic"
a/k/a "William Schaffer"
a/k/a "William Stewart Sharpe"
a/k/a "William Simpson"
a/k/a "J. R. Shaffer"
a/k/a "William Harris"
(hereinafter referred to as WILLIAM SHARPE)
CHARLES ANTHONY SWEENEY,
a/k/a "David Eugene Reich"
a/k/a "Tony"
(hereinafter referred to as TONY SWEENEY)
THOMAS WALLACE ASHTON
(hereinafter referred to as TOM ASHTON)
SALVATORE F. VASTOLA,
a/k/a "Sal"

(hereinafter referred to as SAL VASTOLA)
CRAIG DOUGLAS SMITH
a/k/a "Donald Fisher"
a/k/a "Smitty"
(hereinafter referred to as CRAIG SMITH)
STEPHEN SCOTT JOHNSON
a/k/a "Joseph Scott Henderson"
a/k/a "Dan Bowen"
(hereinafter referred to as SCOTT JOHNSON)
RICHARD FRANCIS VAUGHN
(hereinafter referred to as RICHARD VAUGHN)
DONALD SHIRACK,
a/k/a "Don Shipley"
a/k/a "Danial Shipley"
(hereinafter referred to as DON SHIPLEY)
FRANCOISE NASTA,
a/k/a "Frankie"
(hereinafter referred to as FRANKIE NASTA)
JAN RICHARD GILLIE
(hereinafter referred to as JAN GILLIE)

the defendants herein, did unlawfully, knowingly and intentionally combine, conspire, confederate and agree together, with each other and with divers other persons to the grand jury known and unknown to commit the following offenses against the United States:

1. To knowingly, intentionally and unlawfully distribute Schedule I non-narcotic controlled substances that is, marijuana and hashish, in violation of Title 21, United States Code, Section 841(a)(1);

2. To knowingly, intentionally and unlawfully possess with intent to distribute Schedule I non-narcotic controlled substances, that is, marijuana and hashish, in violation of Title 21, United States Code, Section 841(a)(1).

B. *Ways, Manner and Means to Accomplish the Conspiracy*

The purpose of the conspiracy was to make money in and through drug trafficking and drug-related activities.

The ways, manner and means by which this purpose was carried out included the following:

1. It was part of the conspiracy that the defendants would and did play different roles, take upon themselves different tasks and participate in the affairs of the conspiracy through various criminal acts. The defendants would and did make themselves and their services available at various times throughout the conspiracy and would participate in selected drug trafficking ventures on an "as needed" basis. The roles assumed by these defendants were interchangeable at various times throughout the conspiracy. Some of the roles which the defendants assumed and carried out include, among others: financier, organizer, manager, truck driver, distributor, stashhouse sitter and currency courier.

2. It was further part of the said conspiracy that each defendant would commit and aid and abet in the commission of criminal offenses involving the knowing and intentional distribution and possession with intent to distribute controlled substances, namely marijuana and hashish, in violation of Title 21, United States Code, Section 841(a) and Title 18, United States Code, Section 2.

3. It was further part of the said conspiracy that the defendants and others known and unknown to the Grand Jury, would and did travel and cause others to travel in interstate and foreign commerce to facilitate the distribution of drugs, the laundering of drug money and the investment of drug monies into business enterprises which would and did affect interstate and foreign commerce and did attempt to promote and carry on such activity.

4. It was further part of the said conspiracy that the defendants CHRIS RECKMEYER, ROBERT RECKMEYER, SCOTT JOHNSON and others known and unknown to the Grand Jury would and did transport monetary instruments in an amount exceeding $5,000 into and out of the United States of America without filing a Report of International Transportation of Currency as required by law.

5. It was further part of the said conspiracy that the defendants and unindicted co-conspirators would and did transport the marijuana and hashish to various "stash" houses in the Eastern District of Virginia and elsewhere, where the marijuana and hashish would be stored pending its distribution.

6. It was further part of the said conspiracy that the defendants ROBERT RECKMEYER, GREG JARRETT, SCOTT JOHNSON, CARL MEYERS and others known and unknown to the Grand Jury would and did possess and transfer unregistered firearms, that is machine guns and silencers.

7. It was further part of the said conspiracy that the defendants and unindicted co-conspirators would and did derive substantial gross receipts from their unlawful activities, that is, in excess of approximately one hundred million dollars ($100,000,000).

8. It was further part of the said conspiracy that the defendants and unindicted co-conspirators would and did establish and utilize businesses ostensibly involved in the sale of rugs, gemstones, jewelry, gold, silver and other products in order to facilitate their unlawful drug activities by: a) using the business structure to camouflage and to disguise drug derived proceeds; b) using drug derived proceeds to obtain business products; c) using business products in exchange for drugs; d) using business products to conceal the transportation of drugs and drug related monies from detection by law enforcement authorities; e) using false sales invoices of the defendants' and unindicted co-conspirators' business entities to disguise the transfer of drug purchase monies and proceeds to and from each other; and f) over-stating the gross receipts of the defendants' and unindicted co-conspirators' various business entities in order to launder the proceeds they derived from drug trafficking and to provide seemingly legitimate sources of income to the defendants and unindicted co-conspirators.

9. It was further part of the said conspiracy that defendant ROBERT RECKMEYER and others known and unknown to the Grand Jury, would endeavor to continue their illegal drug activities by attempting to influence, obstruct and impede the due administration of justice through the intimidation of witnesses.

10. It was further part of the said conspiracy that defendant ROBERT RECKMEYER and others known and unknown to the Grand Jury, would endeavor to continue their illegal drug activities by suborning and procuring the perjury of witnesses who testified before the Grand Jury.

11. It was further part of the said conspiracy that the defendants and unindicted co-conspirators would and did use various methods to conceal the conspiracy and their unlawful drug activities in order to insure the conspiracy's continuing existence and success, including but not limited to: using large amounts of currency and currency equivalents to finance their unlawful drug activities; using aliases, false names, fictitious identities; using pay telephones, telephone answering services and unlisted toll free telephone numbers to avoid detection by law enforcement authorities; providing monies for bail bonds and legal fees for members of the conspiracy who were arrested; and corruptly influencing persons not to testify against the defendants and unindicted co-conspirators.

OVERT ACTS

In furtherance of the said conspiracy and to effect the objects thereof, the defendants and unindicted co-conspirators performed overt acts in the Eastern District of Virginia and elsewhere, including but not limited to the following:

1. In or about late 1974, in Montgomery County, Maryland, defendant ROBERT RECKMEYER distributed 50–100 pound quantities of marijuana on several occasions each month.

2. In or about 1975, in Montgomery County, Maryland, defendant ROBERT RECKMEYER distributed 50–100

pound quantities of marijuana on serveral occasions each month.

3. In or about late 1975, in LaPlata and Accokeek, Maryland, defendants CHRIS RECKMEYER and ROBERT RECKMEYER each possessed approximately 300 pounds of marijuana.

4. In or about late 1975, defendant CHRIS RECKMEYER caused marijuana to be transported from Arizona to Centreville, Virginia in the Eastern District of Virginia and Silver Spring, Maryland.

5. In or about 1976, in Maryland, defendant PATRICIA RECKMEYER collected monies from the sale of marijuana.

6. In or about 1976, defendant CHRIS RECKMEYER caused in excess of 10,000 pounds of marijuana to be transported from Arizona to Centreville, Virginia in the Eastern District of Virginia and Silver Spring, Maryland.

7. In or about November 1977, in Davie, Florida, defendant CHRIS RECKMEYER caused defendant STEVE WORTH to purchase approximately 5,000 pounds of marijuana.

8. On or about December 29, 1977, in the area of Panama City, Florida, defendant CHRIS RECKMEYER caused defendant STEVE WORTH to purchase approximately 15,000 pounds of marijuana offloaded from the vessel "Tanila".

9. On or about January 31, 1978, at Ft. Walton Beach and Madison County, Florida and Dothan, Alabama, defendant CHRIS RECKMEYER caused defendant STEVE WORTH to purchase for subsequent distribution in the Eastern District of Virginia and elsewhere, approximately 15,000 pounds of marijuana offloaded from the vessel "Navigator".

10. In or about March 1978, in Perry, Florida, defendants CHRIS RECKMEYER and STEVE WORTH and unindicted co-conspirator Clyde W. Cobb had a meeting to discuss payment for marijuana.

11. In or about March 1978, in Perry, Florida, defendants CHRIS RECKMEYER and STEVE WORTH paid unindicted co-conspirator Clyde W. Cobb approximately $250,000 in U.S. currency.

12. On or about April 26, 1978, defendant ROBERT RECKMEYER caused the incorporation of United Trade, Inc. in the State of Maryland.

13. On or about July 27, 1978, defendant CHRIS RECKMEYER caused the incorporation of Organic Foods, Inc. in Gainesville, Florida.

14. In or about late 1978 or early 1979, in the area of Miami, Florida, defendant CHRIS RECKMEYER caused STEVE WORTH to deliver oriental rugs to unindicted co-conspirator Clyde W. Cobb as partial payment for marijuana which said defendants had previously received from Cobb.

15. In or about 1978, defendant STEVE WORTH discussed with unindicted co-conspirator Clyde W. Cobb the establishment of a rug business to launder and conceal income from drug trafficking.

16. In or about 1978, defendant ROBERT RECKMEYER discussed with an unindicted co-conspirator the creation of false sales invoices for "Robert Bruce Products" and/or "United Trade, Inc." to reflect sales of products which did not occur.

17. In or about 1978, defendant ROBERT RECKMEYER created false sales invoices for "Robert Bruce Products" and "United Trade, Inc." which invoices overstated and inflated the price of products sold to unindicted co-conspirators.

18. On or about March 1, 1978, in Perry, Florida and Madison County, Florida, defendant CHRIS RECKMEYER caused defendant STEVE WORTH to purchase approximately 15,000 pounds of marijuana.

19. In or about mid-March 1978, in Perry, Florida and Madison County, Florida, defendant CHRIS RECKMEYER caused defendant STEVE WORTH to purchase approximately 14,000 pounds of marijuana.

20. In or about April 1978, in Perry, Florida, Tallahassee, Florida and Madison County, Florida, defendant CHRIS RECKMEYER caused defendant STEVE WORTH to purchase approximately 20,000 pounds of marijuana offloaded from the vessel "Miss Too Nicey".

21. In or about July 1978, at Gasden County, Florida, defendant CHRIS RECKMEYER caused defendant STEVE WORTH to purchase approximately 10,000–15,000 pounds of marijuana.

22. In or about October 1978, at Great Falls, Virginia, in the Eastern District of Virginia, defendant ROBERT RECKMEYER purchased approximately 1,000 pounds of marijuana from unindicted co-conspirators.

23. In or about fall 1978, defendant ROBERT RECKMEYER instructed an unindicted co-conspirator to pay for marijuana received from ROBERT RECKMEYER by purchasing cashier's checks made payable to ROBERT RECKMEYER's business known as "United Trade, Inc." doing business as "East West Design".

24. On or about November 15, 1978, in Arlington, Virginia, in the Eastern District of Virginia, an unindicted co-conspirator using an alias purchased a cashier's check for $5,054.40 made payable to "East West Design" as partial payment for marijuana received from defendant ROBERT RECKMEYER.

25. In or about December 1978, at Springfield, Virginia, in the Eastern District of Virginia, defendant ROBERT RECKMEYER purchased approximately 5,000 pounds of marijuana offloaded from the vessel "Free Spirit" (a/k/a Green Sea).

26. In or about December 1978, at a marijuana stashhouse on Hooes Road in Springfield, Virginia, in the Eastern District of Virginia, defendant ROBERT RECKMEYER paid approximately $1,000,000 in U.S. currency to an unindicted co-conspirator for the marijuana offloaded from the vessel "Free Spirit".

27. In or about 1979, defendant ROBERT RECKMEYER created false sales invoices for "United Trade, Inc."

which invoices overstated and inflated the price of products sold to unindicted co-conspirators.

28. In or about January 1979, at the Oak Lee Farm in Leesburg, Virginia, in the Eastern District of Virginia, defendant ROBERT RECKMEYER purchased approximately 7,000–8,000 pounds of marijuana.

29. In or about January 1979, in Loudoun County, Virginia, in the Eastern District of Virginia, defendant ROBERT RECKMEYER paid approximately $750,000 in U.S. currency to an unindicted co-conspirator for the marijuana ROBERT RECKMEYER had purchased at Oak Lee Farm.

30. On or about January 26, 1979, defendant CHRIS RECKMEYER caused the incorporation of Crancy's Inc., in Gainesville, Florida.

31. In or about early 1979, in Waycross, Georgia and Brunswick, Georgia, defendant CHRIS RECKMEYER caused an unindicted co-conspirator to transport gold, jewelry and coins valued at approximately $500,000 in order to make a partial payment for approximately 24,000 pounds of marijuana.

32. In or about spring 1979, in Beaumont, Texas, defendant CHRIS RECKMEYER and unindicted co-conspirator Robert Govern caused defendant TOM TUCKER to distribute approximately 1,700 pounds of marijuana to CHRIS RECKMEYER.

33. In or about spring 1979, in Beaumont, Texas, defendant CHRIS RECKMEYER paid for marijuana by causing defendant CHRIS ROBERTSON to deliver approximately $250,000 in U.S. currency to defendant TOM TUCKER and an unindicted co-conspirator.

34. On or about August 10, 1979, in Winter Park, Florida, defendant CHRIS RECKMEYER cuased "G & M Investment Enterprises, Inc." invoices to be created which reflected that defendant CHRIS RECKMEYER's corporation, "Crancy's", had purchased approximately 10,864.4 grams of gold for $108,644.

35. In or about April 1979, in Altha, Florida, defendant CHRIS RECKMEYER caused defendant STEVE WORTH to purchase approximately 15,000 pounds of marijuana off-loaded from the vessels "Carol B" and "Miss Susan".

36. On or about July 4, 1979, at Falmouth, Massachusetts, defendant ROBERT RECKMEYER purchased approximately 3,000–4,000 pounds of marijuana from defendant LEE HARVEY and an unindicted co-conspirator.

37. On or about July 18–24, 1979, at Fairfax Station, Virginia, in the Eastern District of Virginia, defendant ROBERT RECKMEYER purchased approximately 6,000 pounds of marijuana off-loaded from the vessel "Dodeskaden".

38. In or about mid-1979, at the "United Trade, Inc." warehouse in Merrifield, Virginia, in the Eastern District of Virginia, defendant ROBERT RECKMEYER delivered two oriental rugs valued at $2,300 to an unindicted co-conspirator as a partial payment for marijuana which ROBERT RECKMEYER had previously received.

39. In or about September 1979, in Fairfax County, Virginia, in the Eastern District of Virginia, defendant ROBERT RECKMEYER caused defendant TIM RUDDY and unindicted co-conspirators to transport to Louisiana approximately two boxes, each containing approximately $500,000 in U.S. currency, for the purpose of purchasing marijuana.

40. In or about September 1979, in New Orleans, Louisiana, defendant CHRIS RECKMEYER caused an unindicted co-conspirator to possess approximately $500,000 in U.S. currency for the purpose of purchasing marijuana.

41. In or about September 1979, in New Orleans, Louisiana and Northern Virginia, in the Eastern District of Virginia, defendant PATRICIA RECKMEYER caused an unindicted co-conspirator to transport approximately $500,000 in U.S. currency.

42. In or about December 1979, at Jasper, Texas, defendant CHRIS RECKMEYER purchased approximately

5,000-6,000 pounds of marijuana and caused said marijuana to be transported by unindicted co-conspirators.

43. On or about December 17, 1979, defendant CHRIS RECKMEYER travelled from the Washington National Airport, in the Eastern District of Virginia, to West Palm Beach, Florida to deliver approximately $500,000 in U.S. currency to defendant TOM TUCKER for the marijuana which CHRIS RECKMEYER had purchased from TOM TUCKER in Jasper, Texas.

44. On or about December 20, 1979, in Winter Park, Flroida, defendant CHRIS RECKMEYER caused an invoice to be created by "G & M Investment Enterprises" reflecting that CHRIS RECKMEYER had purchased approximately 6,777.8 grams of gold for $145,722.70.

45. On or about December 21, 1979, in Elizabeth City, North Carolina, defendant CHRIS RECKMEYER caused an unindicted co-conspirator to purchase approximately 8,500 pounds of marijuana which CHRIS RECKMEYER then caused to be transported by defendants TONY SWEENEY and DON SHIPLEY for subsequent distribution by defendants GREG JARRETT and STEVE WORTH.

46. On or about December 21, 1979, in Northern Virginia, in the Eastern District of Virginia, defendants STEVE WORTH and GREG JARRETT delivered U.S. currency to an unindicted co-conspirator as a partial payment for the 8,500 pounds of marijuana purchased by defendant CHRIS RECKMEYER.

47. In or about late 1979 or early 1980, at Berkeley Springs, West Virginia, defendant JAN GILLIE distributed approximately 20 pounds of hashish to an unindicted co-conspirator.

48. In or about 1980, defendant ROBERT RECKMEYER created false sales invoices for "United Trade, Inc." which invoices overstated and inflated the price of products sold to unindicted co-conspirators.

49. During a two week period in or about January 1980, in Warrenton and Loudoun County, Virginia, in the East-

ern District of Virginia, defendant ROBERT RECKMEYER received approximately 10,000 pounds of marijuana.

50. On or about January 11, 1980, in Loudoun County, Virginia, in the Eastern District of Virginia, defendant TOM ASHTON registered at the Dulles Holiday Inn hotel.

51. On or about January 11-13, 1980, in Loudoun County, Virginia, in the Eastern District of Virginia, defendant ROBERT RECKMEYER caused defendants CHRIS ROBERTSON and TOM ASHTON to transport approximately 2,000 pounds of marijuana for subsequent distribution.

52. In or about early 1980, in Fairfax County, Virginia, in the Eastern District of Virginia, defendant ROBERT RECKMEYER delivered a silk rug valued at approximately $7,000 to an unindicted co-conspirator as a partial payment for marijuana which ROBERT RECKMEYER had previously received from the unindicted co-conspirator.

53. In or about late January 1980, in Northern Virginia, in the Eastern District of Virginia, defendant ROBERT RECKMEYER paid approximately $750,000 in U.S. currency to an unindicted co-conspirator as a partial payment for the 10,000 pounds of marijuana purchased at Warrenton and Loudoun County, Virginia.

54. In or about 1980, at Luray and Berryville, Virginia, defendants ROBERT RECKMEYER and TONY SWEENEY caused an unindicted co-conspirator to transport in excess of 200 pounds of marijuana.

55. On or about February 12, 1980, in Northern Virginia, in the Eastern District of Virginia, defendants STEVE WORTH and GREG JARRETT delivered approximately $250,000 in U.S. currency to an unindicted co-conspirator as a partial payment for marijuana purchased by CHRIS RECKMEYER.

56. In or about February or March 1980, at Jasper, Texas, defendant CHRIS RECKMEYER purchased ap-

proximately 4,000–5,000 pounds of marijuana from defendant TOM TUCKER.

57. On or about March 7, 1980, at Slidell, Louisiana, defendant CHRIS RECKMEYER purchased approximately 8,000 pounds of marijuana for which CHRIS RECKMEYER caused approximately $930,000 in U.S. currency to be transported to Louisiana.

58. In or about March 1980, in Leesburg, Virginia, in the Eastern District of Virginia, defendant ROBERT RECKMEYER purchased approximately 9,000 pounds of marijuana.

59. On or about March 8, 1980, in Northern Virginia, in the Eastern District of Virginia, defendants STEVE WORTH and GREG JARRETT delivered approximately $215,000 in U.S. currency to an unindicted co-conspirator as a partial payment for marijuana purchased by defendant CHRIS RECKMEYER.

60. On or about April 3, 1980 and April 14, 1980, at Winter Park, Florida, defendant CHRIS RECKMEYER caused invoices to be created by "G & M Investment Enterprises, Inc." reflecting that defendant CHRIS RECKMEYER'S corporation, "Crancy's, Inc." had purchased approximately 7,033.5 grams of gold for $140,670.

61. In or about spring 1980, in Fairfax County, Virginia, in the Eastern District of Virginia, defendant ROBERT RECKMEYER delivered approximately 2,000 ounces of silver dollars to an unindicted co-conspirator as a $52,000 partial payment for marijuana and/or hashish which ROBERT RECKMEYER has previously received from said unindicted co-conspirator.

62. In or about summer 1980, in Miami, Florida, defendant CHRIS RECKMEYER caused an unindicted co-conspirator to transport approximately $500,000 worth of gold, jewelry, coins and rugs in order to make a downpayment for marijuana.

63. In or about June 1980, at Hilton Head, Beaufort County and Hardeeville, South Carolina, defendant ROBERT RECKMEYER purchased approximately 13,000

pounds of hashish from defendant LEE HARVEY and an unindicted co-conspirator, and ROBERT RECKMEYER caused the hashish to be transported on Interstate Highway 95 through North Carolina, Northern Virginia and Maryland.

63a. In or about June 1980, at Hilton Head, South Carolina, defendant ROBERT RECKMEYER delivered two suitcases containing a total of approximately $1,775,000 in U.S. currency to an unindicted co-conspirator as partial payment for the hashish ROBERT RECKMEYER had received.

63b. On or about June 10, 1980, defendant CHRIS RECKMEYER caused "The Royal Stone Corporation", of which defendant PAT HENDRY was president, to create sales invoice number 501 reflecting the sale of a 5.54 carat emerald to defendant CHRIS RECKMEYER'S corporation, "Crancy's, Inc.", for $120,000.

63c. On or about June 14, 1980, defendant CHRIS RECKMEYER caused "Crancy's, Inc." sales invoice number 00682 to be created reflecting the sale of a 5.54 carat African emerald for $140,000 to "United Trade Inc.".

63d. On or about June 14, 1980, at the "United Trade, Inc." warehouse in Merrifield, Virginia, in the Eastern District of Virginia, defendant ROBERT RECKMEYER delivered a 5.54 carat African emerald to an unindicted co-conspirator as a $175,000 partial payment for the 13,000 pounds of hashish which ROBERT RECKMEYER had purchased at Hilton Head, Beaufort County and Hardeeville, South Carolina.

63e. On or about June 14, 1980, defendant ROBERT RECKMEYER caused "United Trade Inc." sales invoice number 5190 to be created reflecting the sale of a 5.54 carat African emerald to an unidentified customer for $174,720 in cash.

63f. On or about June 17, 1980, defendant CHRIS RECKMEYER caused "The Royal Stone Corporation", of which defendant PAT HENDRY was president, to create sales invoice number 504 reflecting the sale of a 6.08 carat ruby to defendant CHRIS RECKMEYER'S corporation, "Crancy's, Inc.", for $143,000.

63g. On or about June 17, 1980, defendant CHRIS RECKMEYER caused "Crancy's, Inc." sales invoice number 00694 to be created reflecting the sale of a 6.08 carat red Thailand ruby to an unidentified customer for $234,000, of which $180,000 was paid in cash and a balance of $54,000 was due.

63h. On or about June 17, 1980, at the "United Trade, Inc." warehouse in Merrifield, Virginia, in the Eastern District of Virginia, defendant ROBERT RECKMEYER delivered a 6.08 carat red Thailand ruby to an unindicted co-conspirator as a $210,000 partial payment for the 13,000 pounds of hashish which ROBERT RECKMEYER had purchased at Hilton Head, Beaufort County and Hardeeville, South Carolina.

63i. On or about June 24, 1980, defendant CHRIS RECKMEYER caused "The Royal, Stone Corporation", of which defendant PAT HENDRY was president, to create sales invoice number 506 reflecting the sale of an 8.13 carat ruby to defendant CHRIS RECKMEYER'S corporation, "Crancy's, Inc.", for $200,000.

63j. On or about June 24, 1980, defendant CHRIS RECKMEYER caused "Crancy's, Inc." sales invoice number 00698 to be created reflecting the sale of an 8.13 carat red Thailand ruby to defendant ROBERT RECKMEYER'S corporation, "United Trade, Inc.", for $225,000 in cash.

63k. On or about June 24, 1980, at the "United Trade, Inc." warehouse in Merrifield, Virginia, in the Eastern District of Virginia, defendant ROBERT

RECKMEYER delivered an 8.13 carat red Thailand ruby to an unindicted co-conspirator as a $280,000 partial payment for the 13,000 pounds of hashish which ROBERT RECKMEYER had purchased in Hilton Head, Beaufort County and Hardeeville, South Carolina.

631. On or about June 24, 1980, defendant ROBERT RECKMEYER caused "United Trade, Inc." sales invoice number 5183 to be created reflecting the sale of an 8.13 carat red Thailand ruby to an unidentified customer for $280,800 in cash.

64. On or about June 17, 1980, at a marijuana stashhouse on Compton Road in Fairfax County, Virginia, in the Eastern District of Virginia, defendant ROBERT RECKMEYER purchased approximately 3,500 pounds of marijuana which he caused to be transported by unindicted co-conspirators.

65. In or about June 1980, at the "Crancy's, Inc." warehouse in Fairfax County, Virginia, in the Eastern District of Virginia, an unindicted co-conspirator delivered approximately $10,000–$12,000 in U.S. currency to defendant CHRIS RECKMEYER as partial payment for marijuana that had been distributed by CHRIS RECKMEYER.

66. On or about July 28, 1980, defendant CHRIS RECKMEYER caused the incorporation of "Crancy's, Inc." in the Eastern District of Virginia.

67. In or about October 1980, at Edisto Island, South Carolina, defendant ROBERT RECKMEYER purchased approximately 4,000–5,000 pounds of marijuana, approximately 500 pounds of which defendant CARL MEYERS transported to an unindicted co-conspirator in Fairfax County, Virginia in the Eastern District of Virginia.

68. On or about October 21, 1980, defendant CHRIS RECKMEYER caused the incorporation of "Unlimited Investments, Inc." in the Eastern District of Virginia.

69. On or about October 18–22, 1980, at Warrenton, Fairfax County and Rappahannock County, Virginia, in the Eastern District of Virginia, defendant CHRIS RECK-

MEYER sold approximately 700 pounds of hashish to defendant TOM TUCKER which was then transported and stored by defendant DAVID COOK.

70. In or about October 1980, at the "Crancy's Inc." warehouse in Fairfax County, Virginia, in the Eastern District of Virginia, an unindicted co-conspirator delivered approximately $50,000–$60,000 in U.S. currency to defendant CHRIS RECKMEYER as partial payment for the 700 pounds of hashish which defendant TUCKER had purchased from CHRIS RECKMEYER.

71. In or about October 1980, at the "Crancy's Inc." warehouse in Fairfax County, Virginia, in the Eastern District of Virginia, defendants CHRIS RECKMEYER and ROBERT RECKMEYER discussed the quality of marijuana which had been purchased by ROBERT RECKMEYER.

72. In or about November 1980, defendant CHRIS RECKMEYER caused false "Crancy's Inc." sales invoice number 0071 dated September 23, 1980 in the amount of $10,000 and false "Crancy's Inc." sales invoice number 00795 dated October 27, 1980 in the amount of $10,500 to be created reflecting the sale of rugs and silk tapestries which never occurred.

73. In or about 1981, defendant ROBERT RECKMEYER created false sales invoices for "United Trade, Inc." which invoices overstated and inflated the price of products sold to unindicted co-conspirators.

74. In or about early 1981, in LaPlata and Accokeek, Maryland, defendant ROBERT RECKMEYER caused an unindicted co-conspirator to pick up from and/or deliver marijuana and hashish to defendant BRUCE THOMASON.

75. In or about 1981, in Union Bridge, Maryland, defendant ROBERT RECKMEYER caused an unindicted co-conspirator to deliver in excess of 100 pounds of marijuana and hashish to defendant JIM ADAMS.

76. In or about early 1981, at or near Springfield, Virginia, in the Eastern District of Virginia, defendant

ROBERT RECKMEYER introduced defendant SAL VASTOLA to an unindicted co-conspirator.

77. In or about February 1981, in Lake Tahoe, California, and in the area of Denver and Boulder, Colorado, defendant ROBERT RECKMEYER caused an unindicted co-conspirator to transport approximately 1,200 pounds of marijuana, 600 pounds of which was delivered to defendant JAN GILLIE and 600 pounds of which was delivered to defendant CRAIG SMITH.

78. On or about April 8, 1981, in San Carlos, California, defendant CHRIS RECKMEYER caused false "Crancy's Inc." sales invoice number 00831, dated December 11, 1980 to be created reflecting the sale of rugs valued at $2,240 to "Cultural Evolutions".

79. In or about spring of 1981, at Norfolk and Goochland County, Virginia, within the Eastern District of Virginia, defendant ROBERT RECKMEYER possessed approximately 10,000 pounds of marijuana which ROBERT RECKMEYER caused to be transported in approximately 7 trucks from a stashhouse in Goochland County, Virginia.

80. In or about spring 1981, at Tyson's Corner, Virginia, in the Eastern District of Virginia, defendant ROBERT RECKMEYER delivered a sapphire gemstone to an unindicted co-conspirator as a $20,000 partial payment for marijuana and/or hashish which the ROBERT RECKMEYER had previously received.

81. On or about June 2-3, 1981, defendant ROBERT RECKMEYER transported more than $5,000 in monetary instruments from Washington National Airport in the Eastern District of Virginia and Miami, Florida in the United States of America to Nassau, Bahamas.

82. On or about July 14, 1981, defendant ROBERT RECKMEYER caused the creation of a false "United Trade, Inc." sales invoice reflecting the sale of two sapphires to "Sanders and Associates, Inc." for $11,020 in cash.

83. On or about August 10, 1981, in Gaithersburg, Maryland and Vienna, Virginia, in the Eastern District of Virginia, defendant ROBERT RECKMEYER caused an unindicted co-conspirator to wire transfer to ROBERT RECKMEYER under the name "United Trade, Inc.", $11,020—the same amount as the false July 14, 1981 "United Trade, Inc." invoice—and, in turn, ROBERT RECKMEYER deducted $11,020 from the drug debt which the unindicted co-conspirator owed ROBERT RECKMEYER for marijuana and hashish.

84. On or about July 18, 1981, defendant ROBERT RECKMEYER caused the creation of a false "United Trade, Inc." sales invoice reflecting the sale of three silk rugs to "Sanders & Associates, Inc." for $21,000 in cash.

85. In or about September 1981, at Union Bridge, Maryland, defendant SAL VASTOLA obtained approximately 500–600 pounds of hashish from an unindicted coconspirator.

86. On or about October 14, 1981, in Gaithersburg, Maryland and Washington, D.C., defendant ROBERT RECKMEYER caused an unindicted co-conspirator to wire transfer to ROBERT RECKMEYER under the account name "United Trade, Inc.", $21,000—the same amount as the false July 18, 1981 "United Trade, Inc." invoice—and, in turn, ROBERT RECKMEYER deducted $21,000 from the drug debt which the unindicted co-conspirator owed ROBERT RECKMEYER for marijuana and hashish.

87. On or about October 22, 1981, in Gaithersburg, Maryland and Markham, Virginia, in the Eastern District of Virginia, defendant ROBERT RECKMEYER caused an unindicted co-conspirator to purchase two $9,000 cashier's checks made payable to the Internal Revenue Service with drug proceeds and to deliver said cashier's checks to defendant PATRICIA RECKMEYER for payment of the Ferderal income tax liabilities of ROBERT and PATRICIA RECKMEYER for the calendar year 1980.

88. In or about late November 1981, at Goochland County, Virginia, in the Eastern District of Virginia, and elsewhere, defendant ROBERT RECKMEYER purchased approximately 3,500 pounds of hashish.

89. In or about early 1982 in LaPlata and Accokeek, Maryland, defendant ROBERT RECKMEYER caused an unindicted co-conspirator to pick up from and/or deliver marijuana and hashish to defendant BRUCE THOMASON.

90. In or about 1982, at Gaithersburg, Maryland, defendant ROBERT RECKMEYER caused an unindicated co-conspirator to deliver approximately $10,000–$20,000 in U.S. currency to defendant JAN GILLIE.

91. In or about 1982, in Savannah, Georgia and Jacksonville and Miami, Florida, defendant ROBERT RECKMEYER caused an unindicted co-conspirator to deliver U.S. currency to defendant Lee Harvey.

92. In or about January 1982, at Hancock and Libertytown, Maryland, defendant ROBERT RECKMEYER caused an unindicted co-conspirator to deliver approximately $5,000–$10,000 in U.S. currency to defendant RICHARD VAUGHN as partial payment for approximately 1,000 pounds of hashish which RICHARD VAUGHN distributed to the unindicted co-conspirator.

93. In or about early 1982, in Loudoun County, Virginia, in the Eastern District of Virginia, defendant ROBERT RECKMEYER caused defendant TOM ASHTON to deliver approximately 360 pounds of hashish to an unindicted co-conspirator.

94. In or about early 1982, in Caroline County, Virginia, in the Eastern District of Virginia, defendant ROBERT RECKMEYER caused an unindicted co-conspirator to deliver in excess of 1,200 pounds of hashish to defendant FRANKIE NASTA.

95. On or about June 26, 1982, at Gaithersburg, Maryland, defendant GREG JARRETT picked up approximately 400–600 pounds of marijuana from an unindicted co-conspirator.

96. In or about July 1982, at Sag Harbor, New York, defendants, CHRIS RECKMEYER and WILLIAM SHARPE caused defendant CHARLES FRIEND to import approximately 24,000 pounds of marijuana into the United States at Sag Harbor, New York, for which marijuana defendant CHRIS RECKMEYER made a downpayment to defendant WILLIAM SHARPE of approximately $2,000,000 in U.S. currency.

97. In or about July 1982, at the Alta Vista farm in New Windsor, Maryland, and elsewhere within the Eastern District of Virginia, defendants CHRIS RECKMEYER and WILLIAM SHARPE, caused approximately 12 oriental rugs and 800 pounds of the marijuana imported at Sag Harbor, New York to be distributed to an unindicted co-conspirator.

98. In or about July 1982, at Accokeek, Maryland, defendant BRUCE THOMASON stored approximately 20,000 pounds of marijuana.

99. On or about July 27, 1982, defendant ROBERT RECKMEYER caused the incorporation of Atlantis Stone Corporation in the State of Delaware.

100. On or about August 3, 1982, defendant CHRIS RECKMEYER caused the incorporation of B.C.P., Inc. in the State of California.

101. In or about November and December 1982, in San Francisco, California, defendant CHRIS RECKMEYER caused an unindicted co-conspirator to create false "B.C.P., Inc." sales invoices reflecting cash sales to unidentified customers.

102. In or about November 1982, at Thankgiving, in Atlanta, Georgia and Blacksburg, Virginia, defendant ROBERT RECKMEYER caused defendant DON SHIPLEY and an unindicted co-conspirator to transport approximately 2,000–2,400 pounds of marijuana from Atlanta, Georgia to Blacksburg, Virginia.

103. In or about December 1982, in San Francisco, California, defendant CHRIS RECKMEYER caused false "Crancy's, Inc." sales invoice number 00854 dated Janu-

ary 27, 1981 in the amount of $10,000; and false "Crancy's, Inc." sales invoice number 00855 dated January 29, 1981 in the amount of $7,093, to be created reflecting the sale of rugs and gemstones to "Cultural Evolutions".

104. In or about 1983, in San Francisco, California, defendant CHRIS RECKMEYER caused an unindicted co-conspirator to create false "B.C.P., Inc." sales invoices reflecting cash sales to unidentified customers.

105. In or about early 1983 in LaPlata and Accokeek, Maryland, defendant ROBERT RECKMEYER caused an unindicted co-conspirator to pick up from and/or deliver marijuana and hashish to defendant BRUCE THOMASON.

106. On or about February 9, 1983, in Beaufort County, South Carolina, defendants ROBERT RECKMEYER, LEE HARVEY, CARL MEYERS and GREG JARRETT caused in excess of 1,500 pounds of hashish to be transported on Interstate Highway 95 from Beaufort County, South Carolina through the Eastern District of Virginia to Gaithersburg, Maryland.

107. In or about early 1983, in Fairfax County, Virginia, in the Eastern District of Virginia, defendant FRANKIE NASTA delivered approximately 5–10 pounds of hashish to an unindicted co-conspirator.

108. In or about spring 1983, at Accokeek, Maryland, defendant BRUCE THOMASON caused an unindicted co-conspirator to distribute a total of approximately 2,000 pounds of marijuana and hashish to defendants PAT HENDRY and TIM RUDDY for subsequent transportation and distribution by said PAT HENDRY and TIM RUDDY.

109. In or about March 1983, in Miami, Florida, defendant ROBERT RECKMEYER caused an unindicted co-conspirator to deliver U.S. currency to defendant LEE HARVEY.

110. On or about August 16, 1983, at the Washington National Airport in Arlington, Virginia, in the Eastern

District of Virginia, defendants CHRIS RECKMEYER and BRUCE THOMASON had a meeting.

111. On or about August 16, 1983, at Washington National Airport in Arlington, Virginia, in the Eastern District of Virginia, an individual delivered approximately $3,000 in U.S. currency to defendant BRUCE THOMASON as a partial payment for marijuana BRUCE THOMASON had previously distributed to the individual.

112. On or about August 18, 1983, at the Perpetual American Federal Savings and Loan in Alexandria, Virginia, in the Eastern District of Virginia, defendant BRUCE THOMASON purchased a cashier's check with $9,000 in U.S. currency, using $2,900 of the $3,000 which had been delivered to BRUCE THOMASON on August 16, 1983, and caused the cashier's check to be made payable to defendant CHRIS RECKMEYER.

113. On or about August 18, 1983, in Manassas, Virginia, in the Eastern District of Virginia, defendant CHRIS RECKMEYER caused there $9,000 cashier's check purchased by defendant BRUCE THOMASON to be deposited into CHRIS RECKMEYER'S personal account at the First Virginia Bank.

114. On or about September 20, 1983, at Alexandria, Virginia in the Eastern District of Virginia, defendant BRUCE THOMASON received approximately 436.2 grams of marijuana from an individual which BRUCE THOMASON transported to defendant CHRIS RECKMEYER in the area of College Park, Maryland.

115. On or about October 3, 1983, defendant CHRIS RECKMEYER caused "Crancy's, Inc." sales invoice number 01651 to be created reflecting the sale of oriental rugs to defendant BRUCE THOMASON'S business, "Mainland Carpets" for $50,000 in cash.

116. On or about October 5, 1983, in Northampton County, Virginia, in the Eastern District of Virginia, defendants CARL MEYERS and TIM RUDDY delivered approximaterly $449,020 in U.S. currency to defendant BRUCE THOMASON.

117. On or about October 5, 1983, in Northampton County, Virginia, in the Eastern District of Virginia defendant BRUCE THOMASON delivered a box containing $449,020 in U.S currency to a Drug Enforcement Administration Special Agent working in an undercover capacity.

118. On or about October 5, 1983, in Northampton County, Virginia, in the Eastern District of Virginia defendant BRUCE THOMASON delivered a second box containing $402,590 in U.S. currency to a Drug Enforcement Administration Special Agent operating in an undercover capacity.

119. On or about October 5, 1983, in Northampton County, Virginia, in the Eastern District of Virginia defendant BRUCE THOMASON delivered approximately 32 oriental rugs to a Drug Enforcement Administration Special Agent acting in an undercover capacity, of which 22 oriental rugs had been purchased by defendant CHRIS RECKMEYER under the name "Crancy's, Inc."

120. On or about October 5, 1983, in Northampton County and Accomack County, Virginia, in the Eastern District of Virginia, defendant BRUCE THOMASON caused defendant DOUGLAS COCHRAN to possess approximately 2,186 pounds of marijuana.

121. In or about 1984, in San Francisco, California, defendant CHRIS RECKMEYER caused an unindicted coconspirator to create false "B.C.P., Inc." sales invoices reflecting cash sales to unidentified customers.

122. On or about August 2, 1984, defendant SCOTT JOHNSON transported approximately $100,000 in U.S. currency from a location outside of the United States into Miami, Florida.

(All in violation of Title 21, United States Code, Section 846.)

COUNT 2

THE GRAND JURY FURTHER CHARGES THAT:

A. During a period from in or about 1974 and continuously thereafter up to and including the date of the bring-

ing of this Indictment, in the Eastern District of Virginia and elsewhere, defendants CHRIS RECKMEYER, ROBERT RECKMEYER and BRUCE THOMASON, the defendants herein, unlawfully, willfully, intentionally and knowingly did engage in a continuing criminal enterprise, in that these three defendants did knowingly, willfully, intentionally and unlawfully violate Title 21, United States Code, Section 841(a)(1); such violations, including but not limited to those violations alleged in Counts 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 of this Indictment and which Counts are realleged and incorporated herein by reference as though fully set forth in this Count, were part of the continuing series of violations of Subchapter I and II of the Comprehensive Drug Abuse Control Act of 1970, Title 21, United States Code, Section 801 *et seq.*, undertaken by defendant CHRIS RECKMEYER, ROBERT RECKMEYER, and BRUCE THOMASON, in concert with at least five other persons with respect to whom defendants CHRIS RECKMEYER, ROBERT RECKMEYER and BRUCE THOMASON each occupied a position of organizer, supervisor and manager, and from which such continuing series of violations the said defendants obtained substantial income and resources.

B. *Forfeiture*

From their engagement in the aforesaid continuing criminal enterprise, the defendants CHRIS RECKMEYER, ROBERT RECKMEYER and BRUCE THOMASON shall forfeit to the United States any profits they obtained arising from their participation in the said enterprise and any of their interests in, claims against, and property and contractual rights of any kind which afforded a source of influence over said enterprise, including but not limited to the following:

1. Condominium Unit Number M-48 in Estate Questa Verde, lying and being in Estate Hermon Hill, Company Quarter, Christianstead, St. Croix, U.S. Virgin Islands. together with 1.22366 percent individual interest in the common areas and facilities so declared in the Declara-

tion of Condominium to be appurtenant to the above-described condominium unit; and all rental and lease income from condominium Unit Number M-48.

2. A parcel of land containing 675.49 acres, more or less, with all improvements, structures, livestock, machinery and appurtenances thereto, known as the "Shelburne Glebe" located on the southeast side of Road No. 729 approximately 4.5 miles southwest of Leesburg, in Mercer Magisterial District, Loudoun County, Virginia, and more particularly described in the deed recorded in Deed Book 769 beginning at page 03 in the land records of Loudoun County, Virginia.

3. A parcel of land containing 50.19 acres with all improvements, structures, machinery, livestock and appurtenances thereto, located on the northwest side of Road No. 797 approximately 4.5 miles southwest of Leesburg, Mercer Magisterial District, Loudoun County, Virginia, and more particularly described in the deed recorded in Deed Book 788 beginning at page 759 in the land records of Loudoun County, Virginia.

4. A parcel of land containing 10.0 acres, with all improvements, structures, machinery, livestock and appurtenances thereto, located on the northwest side of Road No. 797, Mercer Magisterial District, Loudoun County, Virginia, and more particularly described in Schedule A of the deed recorded in Deed Book 795 beginning at page 45 in the land records of Loudoun County, Virginia.

5. A parcel of land containing 146.2785 acres, with all improvements, structures, machinery, livestock and appurtenances thereto, located approximately three miles south of Hamilton, Blue Ridge Magisterial District, Loudoun County Virginia, and more particularly described in the deed recorded in Deed Book 805 beginning at page 336 in the land records of Loudoun County, Virginia and in a subsequent recording, as evidenced by the transfer of title to William J. Reckmeyer, Sr., father of Chris Reckmeyer, as recorded by deed in Deed Book 836 beginning

at page 184 in the land records of Loudoun County, Virginia.

6. A parcel of land containing 38.961 acres, with all improvements, structures, machinery, livestock and appurtenances thereto, located near Mt. Gilead in Mercer Magisterial District, Loudoun County, Virginia, and more particularly described by a plat and survey of J. Horace Jarrett, C.L.S., dated August 17, 1982, a copy of which is attached to the deed recorded in Deed Book 819 beginning at page 860 in the land records of Loudoun County, Virginia.

7. A parcel of land containing 32.632 acres, with all improvements, structures, machinery, livestock and appurtenances thereto, located near the northwest side of Franklin Gibson Road in the Eighth Election District of Anne Arundel County, Maryland and more particularly described in a legal description attached to the deed recorded in Deed Book 3466 beginning at page 253 among the land records of Anne Arundel County, Maryland and in a subsequent recording, as evidenced by the transfer of title to Jim Adams, brother-in-law of Robert Reckmeyer, as recorded in Deed Book 3466 beginning at page 253 in the land records of Anne Arundel County, Maryland.

8. Any and all precious metals owned by or held on behalf of CHRIS RECKMEYER, ROBERT RECKMEYER and/or BRUCE THOMASON and the business entities which they each control and/or in which they hold any interest, including but not limited to: gold and silver bullion and coins, Baht gold jewelry, gold Canadian maple leaf coins, gold Krugerrand coins, gold and silver chains, and gold and silver bracelets.

9. Any and all precious gemstones owned by or held on behalf of CHRIS RECKMEYER, ROBERT RECKMEYER and/or BRUCE THOMASON and the business entities which they each control and/or in which they hold any interest, including but not limited to: golden sapphires, Burma rubies, Thailand rubies, emeralds, tanzanites, pink sapphires, diamonds and pearls.

10. Any and all oriental carpets and/or rugs, silk tapestries and/or rugs, furniture, chests, antiques, and lamps owned by or held on behalf of CHRIS RECKMEYER, ROBERT RECKMEYER and/or BRUCE THOMASON and the business entities which they each control and/or in which they hold any interest.

11. A deposit of $2,500 held in escrow by Wellborn County Properties, Inc. for the purchase of 44.62 acres of land, including all improvements, located in Loudoun County, Virginia.

12. A January 6, 1984 promissory note payable to CHRIS RECKMEYER and Nancy Reckmeyer by William John Reckmayer, Sr. in the amount of $112,500 plus accrued interest.

13. All accounts receivable of CHRIS RECKMEYER payable by Michael J. Kapper.

14. Eight oriental carpets totalling 162 square feet belonging to CHRIS RECKMEYER and held on consignment by Brett C. Leavenworth in Tucson, Arizona.

15. Any and all stock, assets and inventory of Unlimited Investments, Inc., a corporation in the State of Virginia, including but not limited to, all accounts at any financial institutions, typewriters, scales, file cabinets, safes and oval carpet.

16. Any and all of the shareholder and ownership interest of CHRIS RECKMEYER and Nancy L. Reckmeyer in B.C.P., Inc., a corporation in the State of California.

17. Any and all stock, financial, or other ownership interest of CHRIS RECKMEYER in American Deli, Inc., a corporation in the State of Florida.

18. A November 1983 promissory note in the amount of $5,000 plus accrued interest payable to CHRIS RECKMEYER by Mark B. Newman, President of the American Deli, Inc.

19. Any and all stock, assets and inventory of Crancy's Inc., a corporation in the State of Virginia.

20. Any and all stock, assets and inventory of Organic Foods, Inc., a corporation in the State of Virginia.

21. Any and all stock, assets and inventory of Manpower Management, Inc., a corporation in the State of Virginia.

22. Any and all stock, assets and inventory of United Trade, Inc., a corporation in the State of Maryland, also doing business as "East West Design" in the State of Virginia.

23. Any and all stock, assets and inventory of Robert Bruce Products.

24. Any and all stock, assets and inventory of Atlantis Stone Corporation, a corporation in the State of Delaware.

25. Any and all stock, assets and inventory of Mainland Carpets, Inc., a corporation in the State of Virginia.

26. Any and all possessions of CHRIS RECKMEYER, ROBERT RECKMEYER and/or BRUCE THOMASON with a retail value of $1,000 or more, including but not limited to, furniture, musical instruments, appliances, carpets, electronic devices, art objects, and antiques; including but not limited to such possessions located at the "Shelburne Glebe" in Loudoun County, Virginia and at 12900 Westbrook Drive, in Centreville, Virginia.

27. A 1973 Mercedes-Benz four door sedan, vehicle identification number 11406012004068.

28. A 1974 Chevrolet two door coupe, vehicle identification number 1L57H4Y126501.

29. A 1976 Chrysler four door sedan, vehicle identification number CM41N6D164365.

30. A 1979 Ford Pickup Truck, vehicle identification number F26HEEJ3709.

31. A 1978 Chevrolet four door station wagon, vehicle identification number CCL168F203822.

32. A 1974 Cadillac four door sedan, vehicle identification number 6B69R4Q172668.

33. A 1979 Chevrolet station wagon, vehicle identification number CCS269F109212.

34. A 1984 Chevrolet station wagon, vehicle identification number 1G8GC26M5EF107085.

35. A 1976 Cadillac four door sedan, vehicle identification number 6B69S6Q215574.

36. A 1984 Chevrolet station wagon, vehicle identification number 1C8GK26M4EF107548.

37. A 1984 Mercedes Benz four door sedan, vehicle identification number WDBAB33A4EA038061.

38. A 1959 Mercedes Benz four door sedan, vehicle identification number 220S8513087.

39. Any and all personal and/or corporate ownership interest of CHRIS RECKMEYER, ROBERT RECKMEYER and/or BRUCE THOMASON in monies deposited by or on behalf of CHRIS RECKMEYER, ROBERT RECKMEYER and/or BRUCE THOMASON, and/or their corporations, to any and all personal and corporate pension plans, money purchase plans, Keogh plans, individual retirement accounts, annuity contracts or any other retirement or profit sharing funds including, but not limited to, the following:

a. Keogh Annuity Contracts numbers 4278206 and 4278207, each in the amount of $7,500, and any accrued interest, in the names of CHRIS RECKMEYER and Nancy Reckmeyer issued by the Franklin Life Insurance Company of Springfield, Illinois;

b. Sovran Bank account number 9381-2959 in the name of Crancy's, Inc. Money Purchase and Retirement Trust;

c. Sovran Bank account number 9381-2946 in the name of Crancy's, Inc., Profit Sharing and Retirement Trust;

d. Bank of New York account number S 063795054246 as agent for Merrill Lynch account number 795-05424 in the name of Unlimited Investments, Inc., Money Purchase Plan;

e. Bank of New York account number S 063795054253 as agent for Merrill Lynch account number 795-05425 in the name of Unlimited Investments, Inc., Profit Sharing Plan;

f. Calvert Group First Variable Rate Fund account number 113-061-6 in the name of United Trade, Inc., Profit Sharing Plan;

g. Calvert Group First Variable Rate Fund account number 113062-4 in the name of United Trade, Inc. Money Purchase Plan;

40. Any and all personal and/or corporate ownership interest of CHRIS RECKMEYER, ROBERT RECKMEYER and/or BRUCE THOMASON in any monies deposited by or on behalf of CHRIS RECKMEYER, ROBERT RECKMEYER or BRUCE THOMASON, and/or their corporations, in any safe deposit boxes and in any and all personal checking accounts, corporate checking accounts, savings accounts and any other accounts including, but not limited to, the following:

a. First Virginia Bank account number 8513-4120 in the name of CHRIS RECKMEYER and Nancy Reckmeyer;

b. First Virginia Bank account number 0716-1433 in the name of Crancy's, Inc.;

c. First Virginia Bank account number 0530-6728 in the name of Mainland Carpets, Inc.;

d. First Virginia Bank account number 8846-0312 in the name of BRUCE THOMASON and Marionlee Thomason;

e. First American Bank of Virginia account number 0624-4912 in the name of Unlimited Investments, Inc.;

f. First American Bank of Virginia account number 0649-9198 in the name of Manpower Management, Inc.;

g. Dominion National Bank of Virginia account number 4-250-280-1 in the name of Organic Foods, Inc.;

h. Riggs National Bank account number 08-392-168 in the name of Atlantis Stone Corporation;

i. Calvert Group First Variable Rate Fund account number 143-404-2-101 in the name of Atlantis Stone Corporation;

j. Calvert Group First Variable Rate Fund account number 001-001132786 in the name of ROBERT RECKMEYER;

k. Calvert Group First Variable Rate Fund account number 89251-3 in the name of United Trade, Inc.

41. Approximately $195,180.16, derived from the 1983 sale by ROBERT RECKMEYER and Patricia Reckmeyer of a parcel of real property and all appurtenances thereto, said property being known as "Gibraltar Farm" and containing approximately 176 acres located in Fauquier County, Virginia; all proceeds from the 1983 sale of said property and all accrued interest on the aforesaid $195,180.16 since its November 15, 1983 seizure by the United States of America.

(All in violation of Title 21, United States Code, Section 848.)

COUNT 3

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 11-13, 1980, in Loudoun County, Virginia, within the Eastern District of Virginia, defendant ROBERT RECKMEYER CHRIS ROBERTSON and TOM ASHTON did knowingly, intentionally and unlawfully possess with intent to distribute approximately 2,000 pounds of marijuana, a Schedule I non-narcotic controlled substance.

(Violation of Title 21, United States Code, Section 841(a)(1): Title 18, United States Code, Section 2.)

COUNT 4

THE GRAND JURY FURTHER CHARGES THAT:

In or about March 1980, in Leesburg, Virginia, within the Eastern District of Virginia, defendants ROBERT RECKMEYER did knowingly, intentionally and unlawfully possess with intent to distribute approximately 8,500

pounds of marijuana, a Schedule I non-narcotic controlled substance.

(Violation of Title 21, United States Code, Section 841(a)(1): Title 18, United States Code, Section 2.)

COUNT 5

THE GRAND JURY FURTHER CHARGES THAT:

In or about June 1980, within the Eastern District of Virginia and elsewhere, defendant ROBERT RECKMEYER did knowingly, intentionally and unlawfully possess with intent to distribute in excess of 1,000 pounds of hashish, a Schedule I non-narcotic controlled substance.

(Violation of Title 21, United States Code, Section 841(a)(1): Title 18, United States Code, Section 2.)

COUNT 6

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 17, 1980, in Fairfax County, Virginia, within the Eastern District of Virginia, defendant ROBERT RECKMEYER did knowingly, intentionally and unlawfully possess with intent to distribute approximately 3,500 pounds of marijuana, a Schedule I non-narcotic controlled substance.

(Violation of Title 21, United States Code, Section 841(a)(1); Title 18, United States Code, Section 2.)

COUNT 7

THE GRAND JURY FURTHER CHARGES THAT:

In or about October 1980, in Warrenton, Virginia, within the Eastern District of Virginia, defendants CHRIS RECKMEYER and THOMAS TUCKER did knowingly, intentionally and unlawfully possess with intent to distribute approximately 700 pounds of hashish, a Schedule I non-narcotic controlled substance.

(Violation of Title 21, United States Code, Section 841(a)(1); Title 18, United States Code, Section 2.)

COUNT 8

THE GRAND JURY FURTHER CHARGES THAT:

In or about spring of 1981, in Norfolk and Goochland County, Virginia, within the Eastern District of Virginia, defendants ROBERT RECKMEYER and LEE HARVEY did knowingly, intentionally and unlawfully possess with intent to distribute approximately 10,000 pounds of marijuana, a Schedule I non-narcotic controlled substance.

(Violation of Title 21, United States Code, Section 841(a)(1); Title 18, United States Code, Section 2.)

COUNT 9

THE GRAND JURY FURTHER CHARGES THAT:

In or about November 1981, the area of Norfolk and Goochland County, Virginia, within the Eastern District of Virginia, defendants ROBERT RECKMEYER did knowingly, intentionally and unlawfully possess with intent to distribute approximately 3,500 pounds of hashish, a Schedule I non-narcotic controlled substance.

(Violation of Title 21, United States Code, Section 841(a)(1); Title 18, United States Code, Section 2.)

COUNT 10

THE GRAND JURY FURTHER CHARGES THAT:

In or about July 1982, within the Eastern District of Virginia and elsewhere, defendants WILLIAM SHARPE, CHARLES FRIEND and CHRIS RECKMEYER did knowingly, intentionally and unlawfully possess with intent to distribute in excess of approximately 800 pounds of marijuana, a Schedule I non-narcotic controlled substance.

(Violation of Title 21, United States Code, Section 841(a)(1); Title 18, United States Code, Section 2.)

COUNT 11

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 20, 1983, at Alexandria, Virginia in the Eastern District of Virginia, defendant BRUCE THOMASON did knowingly, intentionally and unlawfully

possess with intent to distribute approximately 436.2 grams of marijuana, a Schedule I non-narcotic controlled substance.

(Violation of Title 21, United States Code, Section 841(a)(1).)

COUNT 12

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 5, 1983, in Northampton and Accomack County, within the Eastern District of Virginia, defendants CHRIS RECKMEYER, BRUCE THOMASON, DOUGLAS COCHRAN, CARL MEYERS, and TIM RUDDY did knowingly, intentionally and unlawfully possess with intent to distribute approximately 2,186 pounds of marijuana, a Schedule I non-narcotic controlled substance.

(Violation of Title 21, United States Code, Section 841(a)(1); Title 18, United States Code, Section 2.)

COUNT 13

THE GRAND JURY FURTHER CHARGES THAT:

From beginning in or about November 1981, the exact date being to the grand jury unknown, and continuously thereafter up to and including February 1984, in the Eastern District of Virginia and elsewhere, defendants ROBERT RECKMEYER, GREG JARRETT, SCOTT JOHNSON and CARL MEYERS did knowingly, willfully and unlawfully combine, conspire, confederate and agree with each other and with divers other persons, known and unknown to the grand jury, to commit the following offenses against the United States:

1. To knowingly and unlawfully possess firearms, that is, machine guns and silencers, none of which were registered to the defendants in the National Firearms Registration and Transfer Record, in violation of Title 26, United States Code, Section 5861(d).

2. To knowingly and unlawfully transfer firearms, that is, machine guns and silencers, without receiving an approved application as required under Title 26, United

States Code, Section 5812(a)(6), in violation of Title 26, United States Code, Section 5861(e).

3. To knowingly and unlawfully transfer firearms, that is, machine guns and silencers, to a person who was not licensed as an importer, manufacturer, dealer or collector of firearms and who did not reside in the same state as defendant ROBERT RECKMEYER in violation of Title 18, United States Code, Section 922(a)(5).

OVERT ACTS

In furtherance of the said conspiracy and to effect the objects thereof, the defendants and unindicted co-conspirators performed overt acts in the Eastern District of Virginia and elsewhere, including but not limited to the following:

1. In or about November 1981, in Fairfax County, Virginia, in the Eastern District of Virginia, Defendants ROBERT RECKMEYER, a resident of Virginia, and defendant GREG JARRETT possessed and transferred approximately fourteen firearms, that is, nine Israeli Military Industries Uzi 9mm machine guns and five silencers to an unindicted co-conspirator who then resided in Maryland.

2. In or about November 1981, defendant ROBERT RECKMEYER caused an unindicted co-conspirator to transport the said firearms from Fairfax County, Virginia, in the Eastern District of Virginia, to Frederick County, Maryland.

3. In or about November 1981, in Frederick County, Maryland, defendant ROBERT RECKMEYER caused an unindicted co-conspirator to transfer the said firearms to another unindicted co-conspirator.

4. In or about December 1981, in Frederick County, Maryland and elsewhere, defendant ROBERT RECKMEYER caused an unindicted co-conspirator to unlawfully transfer approximately three firearms, that is, two Israeli Military Industries, Uzi 9mm machine guns and one silencer to defendant CARL MEYERS.

5. In or about December 1981, in Frederick County, Maryland, defendant ROBERT RECKMEYER caused an unindicted co-conspirator to transport approximately seven firearms, that is, five Israeli Military Industries Uzi 9mm machine guns and two silencers to Boston, Massachusetts where the unindicted co-conspirator transferred said firearms to another unindicted co-conspirator.

6. In or about July 1983, at Gaithersburg, Maryland, defendants ROBERT RECKMEYER and SCOTT JOHNSON unlawfully transferred to an unindicted co-conspirator approximately three firearms, that is, an Israeli Military Industries Uzi 9mm machine gun and two R.P.B. Industries M-11 .380 caliber machine guns at least eight hundred rounds of 9mm ammunition.

7. In or about January 1984, in Warfordsburg, Pennsylvania, defendant ROBERT RECKMEYER caused defendant SCOTT JOHNSON to receive two firearms, that is, an Israeli Military Industries Uzi 9mm machine gun and an R.P.B. Industries M-11 .380 caliber machine gun from an unindicted co-conspirator.

(Violation of Title 18, United States Code, Section 371.)

COUNT 14

THE GRAND JURY FURTHER CHARGES THAT:

In or about November 1981, in Fairfax County, Virginia, within the Eastern District of Virginia, defendants ROBERT RECKMEYER and GREG JARRETT knowingly and unlawfully possessed approximately nine firearms, that is, nine Israeli Military Industries Uzi 9mm machine guns, one of said firearms bearing serial number SA01152, none of which firearms had been registered to ROBERT RECKMEYER or GREG JARRETT in the National Firearms Registration and Transfer Record as required by Title 26, United States Code, Sections 5841, 5845(a)(6), 5861(d).

(Violation of Title 26, United States Code, Sections 5861(d), 5871.)

COUNT 15

THE GRAND JURY FURTHER CHARGES THAT:

In or about November 1981, in Fairfax County, Virginia, within the Eastern District of Virginia, and elsewhere, defendants ROBERT RECKMEYER and GREG JARRETT knowingly and unlawfully possessed approximately five firearms, that is, five silencers, none of which firearms had been registered to said defendants in the National Firearms Registration and Transfer Record as required by Title 26, United States Code, Sections 5841, 5845(a)(7), 5861(d).

(Violation of Title 26, United States Code, Sections 5861(d), 5871.)

COUNT 16

THE GRAND JURY FURTHER CHARGES THAT:

In or about November 1981, in Fairfax County, Virginia, within the Eastern District of Virginia and elsewhere, defendants ROBERT RECKMEYER and GREG JARRETT knowingly and unalwfully did transfer approximately nine firearms, that is, nine Israeli Military Industries Uzi 9mm machine guns, one of said firearms bearing serial number SA01152, to an individual without receiving an approved application as required under Title 26, United States Code, Section 5812(a)(6).

(Violation of Title 26, United States Code, Sections 5861(e), 5871.)

COUNT 17

THE GRAND JURY FURTHER CHARGES THAT:

In or about November 1981, in Fairfax County, Virginia, within the Eastern District of Virginia and elsewhere, defendants ROBERT RECKMEYER and GREG JARRETT knowingly and unlawfully did transfer approximately five firearms, that is, five silencers, to an individual without receiving an approved application as required under Title 26, United States Code, Section 5812(a)(6).

(Violation of Title 26, United States Code, Sections 5861(e), 5871.)

COUNT 18

THE GRAND JURY FURTHER CHARGES THAT:

In or about November 1981, in Fairfax County, Virginia within the Eastern District of Virginia and elsewhere, defendant ROBERT RECKMEYER knowingly and unlawfully transferred approximately nine firearms, that is, nine Israeli Military Industries Uzi 9mm machine guns, one of said firearms bearing serial number SA01152, to a person who was not licensed as an importer, manufacturer, dealer or collector of firearms and who said RECKMEYER knew and had reasonable cause to know did not reside in the same state as ROBERT RECKMEYER.

(Violation of Title 18, United States Code, Section 922(a)(5).)

COUNT 19

THE GRAND JURY FURTHER CHARGES THAT:

In or about November 1981, in Fairfax County, Virginia within the Eastern District of Virginia and elsewhere, defendant ROBERT RECKMEYER knowingly and unlawfully transferred approximately five firearms, that is, five silencers, to a person who was not licensed as an importer, manufacturer, dealer or collector of firearms, and who the said RECKMEYER knew and had reasonable cause to know did not reside in the same state as ROBERT RECKMEYER.

(Violation of Title 18, United States Code, Section 922(a)(5).)

COUNT 20

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 2-3, 1981, within the Eastern District of Virginia and elsewhere, defendant ROBERT RECKMEYER did unlawfully, knowingly and willfully transport on one occasion, monetary instruments in an amount exceeding $5,000, that is, approximately $40,000

in United States currency, from Arlington, Virginia, in the Eastern District of Virginia, United States of America, to a place outside of the United States of America, that is, Nassau, Bahamas, without filing and without causing to be filed, a Report of International Transportation of Currency (Form 4790) as required by Title 31, United States Code, Section 5316 and Title 31, Code of Federal Regulations, Sections 103.23(a) and 103.25(b), and that ROBERT RECKMEYER willfully committed this violation in furtherance of the commission of other violations of federal law, that is, Title 18, United States Code, Sections 371, 922(a)(5), 1952(a)(3), 1503 and 1622 (as alleged in Counts 13, 18, 19, 23, 47 and 48 of this Indictment); Title 21, United States Code, Sections 846, 848, 841(a)(1) (as alleged in Counts 1, 2, 8 and 9 of this Indictment); Title 26, United States Code, Sections 5861(d), 5861(e) and 5871 (as alleged in Counts 14, 15, 16 and 17 of this Indictment); and Title 26, United States Code, Section 7206 (as alleged in Counts 41, 42, and 43 of this Indictment).

(Violation of Title 31, United States Code, Section 5316; Title 31, Code of Federal Regulations, Sections 103.23(a), 103.25(b), 103.49.)

COUNT 21

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 23, 1983, in Falls Church, Virginia, within the Eastern District of Virginia and elsewhere, defendant BRUCE THOMASON did unlawfully, willfully and knowingly make a false statement and report as to a material fact for the purposes of influencing the action of the First Virginia Bank, the deposits of which are insured by the Federal Deposit Insurance Corporation, on an application by BRUCE THOMASON for an automobile loan, in that BRUCE THOMASON submitted a state of Maryland Resident Income Tax Return for the calendar year 1981 (Form 502) to the First Virginia Bank which BRUCE THOMASON knew and believed to be fraudulent and false in that the said income tax

return reported substantially more income than BRUCE THOMASON actually reported to the State of Maryland for the calendar year 1981.

(Violation of Title 18, United States Code, Section 1014.)

COUNT 22

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 30, 1980, within the Eastern District of Virginia and elsewhere, defendant CHRIS RECKMEYER unlawfully, knowingly and willfully did aid, abet, counsel and command another to travel in interstate commerce from the State of Virginia to West Palm Beach, Florida, with the intent to promote, manage, establish, carry on and facilitate the promotion, management, establishment and carrying on of an unlawful activity, said unlawful activity being a business enterprise involving the distribution of Schedule I non-narcotic controlled substances, that is, marijuana and hashish in violation of Title 21, United States Code, Section 841(a)(1), and therefore CHRIS RECKMEYER did cause this individual to perform and attempt to perform acts to promote, manage, carry on and facilitate the promotion, management, establishment and carrying on of the said unlawful activity.

(Violation of Title 18, United States Code, Sections 1952(a)(3) and 2.)

COUNT 23

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 9, 1983, within the Eastern District of Virginia and elsewhere, defendant ROBERT RECKMEYER, unlawfully, knowingly and willfully did aid, abet, counsel and command another individual to travel in interstate commerce from the State of Virginia to Beaufort, South Carolina with the intent to promote, manage, establish, carry on and facilitate the promotion, management, establishment and carrying on of an unlawful activity, said unlawful activity being a business enterprise involving the distribution of Schedule I non-narcotic

controlled substances, that is, marijuana and hashish, in violation of Title 21, United States Code, Section 841(a)(1), and thereafter ROBERT RECKMEYER did cause this individual to perform and attempt to perform acts to promote, manage, carry on and facilitate the promotion, management, establishment and carrying on of the said unlawful activity.

(Violation of Title 18, United States Code, Sections 1952(a)(3) and 2.)

COUNT 24

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 2, 1979, in the Eastern District of Virginia and elsewhere, defendant CHRIS RECKMEYER did willfully and knowingly make and subscribe, and cause to be made and subscribed, a United States Individual Income Tax Return, Form 1040, for the calendar year 1978, which was verified by a written declaration that it was made under the penalties of perjury and was filed with the Internal Revenue Service, which said income tax return CHRIS RECKMEYER did not believe to be true and correct as to every material matter in that the return failed to disclose, on an attached Schedule C, or otherwise, that CHRIS RECKMEYER had received substantial gross receipts and incurred substantial expenses from a business activity conducted in the Eastern District of Virginia and elsewhere, to wit: the distribution of marijuana.

(Violation of Title 26, United States Code, Section 7206(1); Title 18, United States Code, Section 2.)

COUNT 25

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 15, 1980, in the Eastern District of Virginia and elsewhere, defendent CHRIS RECKMEYER did willfully and knowingly make and subscribe a United States Individual Income Tax Return, Form 1040, for the calendar year 1979, which was verified by a written declaration that it was made under the penalties of perjury

and was filed with the Internal Revenue Service, which said income tax return CHRIS RECKMEYER did not believe to be true and correct as to every material matter in that the return failed to disclose, on an attached Schedule C, or otherwise, that CHRIS RECKMEYER had received substantial gross receipts and incurred substantial expenses from a business activity, to wit: the distribution of marijuana.

(Violation of Title 26, United States Code, Section 7206(1); Title 18, United States Code, Section 2.)

COUNT 26

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 23, 1981, in the Eastern District of Virginia and elsewhere, defendant CHRIS RECKMEYER did willfully and knowingly aid and assist in, and counsel, procure and advise the preparation and presentation to the Internal Revenue Service, of the 1980 U.S. Individual Income Tax Return, Form 1040, of CHRIS RECKMEYER and Nancy Reckmeyer which said tax return CHRIS RECKMEYER knew and believed to be fraudulent and false as to a material matter, in that the return failed to disclose, on an attached Schedule C, or otherwise, that CHRIS RECKMEYER had received substantial gross receipts and incurred substantial expenses from a business activity, to wit: the distribution of marijuana and hashish.

(Violation of Title 26, United States Code, Section 7206(2); Title 18, United States Code, Section 2.)

COUNT 27

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 19, 1982, in the Eastern District of Virginia and elsewhere, defendant CHRIS RECKMEYER did willfully and knowingly make and subscribe a United States Individual Income Tax Return, Form 1040, for the calendar year 1981, which was verified by a written declaration that it was made under the penalties of perjury and was filed with the Internal Revenue Service, which

said income tax return CHRIS RECKMEYER did not believe to be true and correct as to every material matter in that the return failed to disclose, on an attached Schedule C, or otherwise, that CHRIS RECKMEYER had received substantial gross receipts and incurred substantial expenses from a business activity, to wit: the distribution of marijuana and hashish.

(Violation of Title 26, United States Code, Section 7206(1); Title 18, United States Code, Section 2.)

COUNT 28

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 15, 1983, in the Eastern District of Virginia, and elsewhere, defendant CHRIS RECKMEYER did willfully and knowingly make and subscribe a United States Individual Income Tax Return, Form 1040, for the calendar year 1982, which was verified by a written declaration that it was made under the penalties of perjury and was filed with the Internal Revenue Service, which said income tax return CHRIS RECKMEYER did not believe to be true and correct as to every material matter in that the return failed to disclose, on an attached Schedule C, or otherwise, that CHRIS RECKMEYER had received substantial gross receipts and incurred substantial expenses from a business activity, to wit: the distribution of marijuana and hashish.

(Violation of Title 26, United States Code, Section 7206(1); Title 18, United States Code, Section 2.)

COUNT 29

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 14, 1980, in the Eastern District of Virginia, and elsewhere, defendant CHRIS RECKMEYER, who was the President of Crancy's Inc., a corporation, did wilfully and knowingly aid and assist in, and counsel, procure and advise the preparation and presentation to the Internal Revenue Service of the United States Corporation Income Tax Return, Form 1120, of Crancy's Inc., for the fiscal year ended January 31, 1980, which

CHRIS RECKMEYER knew and believed to be fraudulent and false as to a material matter in that the return reported substantially more gross receipts than the corporation had actually earned.

(Violation of Title 26, United States Code, Section 7206(2).)

COUNT 30

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 15, 1981, in the Eastern District of Virginia and elsewhere, defendant CHRIS RECKMEYER, who was the President of Crancy's Inc., a corporation, did willfully and knowingly make and subscribe a United States Corporation Income Tax Return, Form 1120, of Crancy's Inc., for the fiscal year ended January 31, 1981, which was verified by a written declaration that it was made under the penalties of perjury and was filed with the Internal Revenue Service, which said income tax return CHRIS RECKMEYER did not believe to be true and correct as to every material matter in that the return reported substantially more gross receipts than the corporation had actually earned.

(Violation of Title 26, United States Code, Section 7206(1).)

COUNT 31

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 17, 1983, in the Eastern District of Virginia and elsewhere, defendant CHRIS RECKMEYER, who was the President of Crancy's Inc., a corporation, did willfully and knowingly make and subscribe a United States Corporation Income Tax Return, Form 1120, of Crancy's Inc., for the fiscal year ended January 31, 1983, which was verified by a written declaration that it was made under the penalties of perjury and was filed with the Internal Revenue Service, which said income tax return CHRIS RECKMEYER did not believe to be true and correct as to every material matter in that the

return reported substantially more gross receipts than the corporation had actually earned.

(Violation of Title 26, United States Code, Section 7206(1).)

COUNT 32

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 11, 1980, in the Eastern District of Virginia and elsewhere, defendant STEVE WORTH did willfully and knowingly make and subscribe a United States Individual Income Tax Return, Form 1040, for the calendar year 1978, which was verified by a written declaration that it was made under the penalties of perjury and was filed with the Internal Revenue Service, which said income tax return STEVE WORTH did not believe to be true and correct as to every material matter in that the return failed to disclose, on an attached Schedule C, or otherwise, that STEVE WORTH had received substantial gross receipts and incurred substantial expenses from a business activity, to wit: the distribution of marijuana.

(Violation of Title 26, United States Code, Section 7206(1); Title 18, United States Code, Section 2.)

COUNT 33

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 11, 1980, in the Eastern District of Virginia and elsewhere, defendant STEVE WORTH did willfully and knowingly make and subscribe a United States Individual Income Tax Return, Form 1040, for the calendar year 1979, which was verified by a written declaration that it was made under the penalties of perjury and was filed with the Internal Revenue Service, which said income tax return STEVE WORTH did not believe to be true and correct as to every material matter in that the return failed to disclose, on an attached Schedule C, or otherwise, that STEVE WORTH had received substantial gross receipts and incurred substantial expenses from a business activity, to wit: the distribution of marijuana.

(Violation of Title 26, United States Code, Section 7206(1); Title 18, United States Code, Section 2.)

COUNT 34

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 16, 1979, in the Eastern District of Virginia and elsewhere, defendant PATRICIA RECKMEYER did willfully and knowingly make and subscribe, and cause to be made and subscribed, a United States Individual Income Tax Return, Form 1040, for the calendar year 1978, which was verified by a written declaration that it was made under the penalties of perjury and was filed with the Internal Revenue Service, which said income tax return PATRICIA RECKMEYER did not believe to be true and correct as to every material matter in that the return failed to disclose, on an attached Schedule C, or otherwise, that PATRICIA RECKMEYER and her husband ROBERT RECKMEYER had received substantial gross receipts and incurred substantial expenses from a business activity conducted in the Eastern District of Virginia and elswehere, to wit: the distribution of marijuana.

(Violation of Title 26, United States Code, Section 7206(1); Title 18, United States Code, Section 2.)

COUNT 35

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 16, 1980, in the Eastern District of Virginia and elsewhere, defendant PATRICIA RECKMEYER did willfully and knowingly make and subscribe a United States Individual Income Tax Return, Form 1040, for the calendar year 1979, which was verified by a written declaration that it was made under the penalties of perjury and was filed with the Internal Revenue Service, which said income tax return PATRICIA RECKMEYER did not believe to be true and correct as to every material matter in that the return failed to disclose, on an attached Schedule C, or otherwise, that PATRICIA RECKMEYER and her husband ROBERT RECKMEYER

had received substantial gross receipts and incurred substantial expenses from a business activity, to wit: the distribution of marijuana.

(Violation of Title 26, United States Code, Section 7206(1); Title 18, United States Code, Section 2.)

COUNT 36

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 15, 1981, in the Eastern District of Virginia and elsewhere, defendant PATRICIA RECKMEYER did willfully and knowingly make and subscribe a United States Individual Income Tax Return, Form 1040, for the calendar year 1980, which was verified by a written declaration that it was made under the penalties of perjury and was filed with the Internal Revenue Service, which said income tax return PATRICIA RECKMEYER did not believe to be true and correct as to every material matter in that the return failed to disclose, on an attached Schedule C, or otherwise, that PATRICIA RECKMEYER and her husband ROBERT RECKMEYER had received substantial gross receipts and incurred substantial expenses from a business activity, to wit: the distribution of marijuana and hashish.

(Violation of Title 26, United States Code, Section 7206(1); Title 18, United States Code, Section 2.)

COUNT 37

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 15, 1982, in the Eastern District of Virginia and elsewhere, defendant PATRICIA RECKMEYER did willfully and knowingly make and subscribe a United States Individual Income Tax Return, Form 1040, for the calendar year 1981, which was verified by a written declaration that it was made under the penalties of perjury and was filed with the Internal Revenue Service, which said income tax return PATRICIA RECKMEYER did not believe to be true and correct as to every material matter in that the return failed to disclose, on an attached Schedule, C, or otherwise, that PATRICIA

RECKMEYER and her husband ROBERT RECKMEYER had received substantial gross receipts and incurred substantial expenses from a business activity, to wit: the distribution of marijuana and hashish.

(Violation of Title 26, United States Code, Section 7206(1); Title 18, United States Code, Section 2.)

COUNT 38

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 10, 1983, in the Eastern District of Virginia and elsewhere, defendant PATRICIA RECKMEYER did willfully and knowingly make and subscribe a United States Individual Income Tax Return, Form 1040, for the calendar year 1982, which was verified by a written declaration that it was made under the penalties of perjury and was filed with the Internal Revenue Service, which said income tax return PATRICIA RECKMEYER did not believe to be true and correct as to every material matter in that the return failed to disclose, on an attached Schedule C, or otherwise, that PATRICIA RECKMEYER and her husband ROBERT RECKMEYER had received substantial gross receipts and incurred substantial expenses from a business activity, to wit: the distribution of marijuana and hashish.

(Violation of Title 26, United States Code, Section 7206(1); Title 18, United States Code, Section 2.)

COUNT 39

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 17, 1979, in the Eastern District of Virginia and elsewhere, defendant ROBERT RECKMEYER, who was the President of United Trade Inc., a corporation, did willfully and knowingly make and subscribe a United States Corporation Income Tax Return, Form 1120, of United Trade Inc., for the fiscal year ended April 30, 1979, which was verified by a written declaration that it was made under the penalties of perjury and was filed wdith the Internal Revenue Service, which said income tax return ROBERT RECKMEYER did not be-

lieve to be true and correct as to every material matter in that the return reported substantially more gross receipts than the corporation had actually earned.

(Violation of Title 26, United States Code, Section 7206(1).)

COUNT 40

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 15, 1980, in the Eastern District of Virginia and elsewhere, defendant ROBERT RECKMEYER, who was the President of United Trade, Inc., a corporation, did willfully and knowingly make and subscribe a United States Corporation Income Tax Return, Form 1120, of United Trade Inc., for the fiscal year ended April 30, 1980, which was verified by a written declaration that it was made under the penalties of perjury and was filed with the Internal Revenue Service, which said income tax return ROBERT RECKMEYER did not believe to be true and correct as to every material matter in that the return reported substantially more gross receipts than the corporation had actually earned.

(Violation of Title 26, United States Code, Section 7206(1).)

COUNT 41

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 15, 1982, in the Eastern District of Virginia, and elsewhere, defendant ROBERT RECKMEYER who was President of United Trade, Inc., a corporation, did willfully and knowingly make and subscribe a United States Corporation Income Tax Return, Form 1120, of United Trade Inc., for the fiscal year ended April 30, 1981, which was verified by a written declaration that it was made under the penalties of perjury and was filed with the Internal Revenue Service, which said income tax return ROBERT RECKMEYER did not believe to be true and correct as to every material matter in that the return reported substantially more gross receipts than the corporation had actually earned.

(Violation of Title 26, United States Code, Section 7206(1).)

COUNT 42

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 3, 1983, in the Eastern District of Virginia, and elsewhere, defendant ROBERT RECKMEYER, who was President of United Trade, Inc., a corporation, did willfully and knowingly aid and assist in and cause, procure and advise the preparation and presentation to the Internal Revenue Service of a United States Corporation Income Tax Return, Form 1120, of United Trade Inc., for the fiscal year ended April 30, 1981, which ROBERT RECKMEYER knew and believed to be fraudulent and false as to a material matter in that the return reported substantially more gross receipts than the corporation had actually earned.

(Violation of Title 26, United States Code, Section 7206(2).)

COUNT 43

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 20, 1984, in the Eastern District of Virginia and elsewhere, defendant ROBERT RECKMEYER, who was the President of United Trade, Inc., a corporation, did willfully and knowingly make and subscribe a United States Corporation Income Tax Return, Form 1120, of United Trade Inc., for the fiscal year ended April 30, 1983, which was verified by a written declaration that it was made under the penalties of perjury and was filed with the Internal Revenue Service, which said income tax return ROBERT RECKMEYER did not believe to be true and correct as to every material matter in that the return reported substantially more gross receipts than the corporation had actually earned.

(Violation of Title 26, United States Code, Section 7206(1).)

COUNT 44

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 17, 1981, in the Eastern District of Virginia and elsewhere, defendant BRUCE THOMASON did willfully and knowingly make and subscribe a United States Individual Income Tax Return, Form 1040, for the calendar year 1979, which was verified by a written declaration that it was made under the penalties of perjury and was filed with the Internal Revenue Service which said income tax return BRUCE THOMASON did not believe to be true and correct as to every material matter in that the return failed to disclose, on an attached Schedule C, or otherwise, that BRUCE THOMASON had received substanial gross receipts and incurred substantial expenses from a business activity, to wit: the distribution of marijuana.

(Violation of Title 26, United States Code, Section 7206(1); Title 18, United States Code, Section 2.)

COUNT 45

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 25, 1982, in the Eastern District of Virginia and elsewhere, defendant BRUCE THOMASON did willfully and knowingly make and subscribe a United States Individual Income Tax Return, Form 1040, for the calendar year 1980, which was verified by a written declaration that it was made under the panalties of perjury and was filed with the Internal Revenue Service, which said income tax return BRUCE THOMASON did not believe to be true and correct as to every material matter in that the return failed to disclose, on an attached Schedule C, or otherwise, that BRUCE THOMASON had received substanial gross receipts and incurred substantial expenses from a business activity, to wit: the distribution of marijuana and hashish.

(Violation of Title 26, United States Code, Section 7206(1); Title 18, United States Code, Section 2.)

COUNT 46

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 15, 1982, in the Eastern District of Virginia and elsewhere, defendent BRUCE THOMASON did willfully and knowingly make and subscribe a United States Individual Income Tax Return, Form 1040, for the calendar year 1981, which was verified by a written declaration that it was made under the penalties of perjury and was filed with the Internal Revenue Service, which said income tax return BRUCE THOMASON did not believe to be true and correct as to every material matter in that the return failed to disclose, on an attached Schedule C, or otherwise, that BRUCE THOMASON had received substantial gross receipts and incurred substantial expenses from a business activity, to wit: the distribution of marijuana and hashish.

(Violation of Title 26, United States Code, Section 7206(1); Title 18, United States Code, Section 2.)

COUNT 47

THE GRAND JURY FURTHER CHARGES THAT:

During a period from on or about June 8, 1984 through June 28, 1984, in Alexandria, Virginia, in the Eastern District of Virginia and elsewhere, defendent ROBERT RECKMEYER unlawfully, willfully and knowingly did corruptly influence, obstruct and impede the due administration of justice and endeavor to corruptly influence, obstruct and impede the due administration of justice in the United States District Court for the Eastern District of Virginia, in that the said ROBERT RECKMEYER knowing that Larry D. Sanders had received a subpoena to appear before the Grand Jury inquiring in said District into possible violations of the drug laws (Title 21, United States Code, Section 841, *et seq.*) and the Internal Revenue laws (Title 26, United States Code, Sections 7201 and 7206), urged, advised and persuaded Larry D. Sanders not to testify before said Grand Jury in relation to the aforementioned violation.

(Violation of Title 18, United States Code, Section 1503.)

COUNT 48

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 27-28, 1984, at Alexandria, Virginia, in the Eastern District of Virginia, defendant ROBERT RECKMEYER did unlawfully, willfully and knowingly suborn, instigate, induce and procure Larry D. Sanders, to make a false material declaration while said Larry D. Sanders was under oath as a witness in a criminal investigation conducted by and before Grand Jury 83-2 of the United States District Court for the Eastern District of Virginia, in the matter entitled *United States v. John Doe 462,* that is:

1. At the time and place aforesaid, Grand Jury 83-2 was inquiring into the unlawful possession and distribution of controlled substances and Internal Revenue violations.

2. It was a material matter to the Grand Jury investigation to identify instances in which ROBERT RECKMEYER was involved in the unlawful possession and distribution of controlled substances.

3. At the time and place aforesaid, Larry D. Sanders, while under oath and in consequence of the willful subordination, inducement and procurement by ROBERT RECKMEYER, did declare before Grand Jury 83-2 with respect to the aforesaid material matter as follows:

Q Have you ever assisted ROBERT RECKMEYER in transporting marijuana or hashish, other than what you actually purchased from him?

A Occasionally.

Q Tell us about that.

A He told me he needed pot picked up, or delivered, or actually picked up. Well, it would still be picking up and delivery——

Q I am sorry. I don't understand.

A If I picked it up, I would have to deliver it someplace, or——

Q Did you ever move pot from one location to another for Robert Reckmeyer?

A Yes.

Q How many times did you do that?

A I could not tell you. A few times a year.

Q Every year you were dealing with him?

A No. At the very end.

Q Starting with what year?

A I cannot remember right now. It might have been 1979. For sure it was '80; and '80 and '81.

Q So that would have been a few times each year during that time period from maybe 1979 through '80 through '81, into the first of '82?

A I did not do anything in '82.

Q Nothing in '82?

A No.

Q So throughout '80 and '81, maybe '79, we are talking about at least six times? Is that right?

A Yes. I think so.

Q Is it possible it was more than six times?

A It might have been a few times more or less.

4. The aforesaid testimony of Larry D. Sanders, as he and defendant ROBERT RECKMEYER then and there well knew and believed, was false, in that, on numerous occasions during and since 1982, ROBERT RECKMEYER caused Larry D. Sanders to unlawfully possess, transport and/or distribute marijuana and hashish.

(All in violation of Title 18, United States Code, Section 1622.)

A true bill: Barbara C. Proctor, *Foreperson;* Elsie L. Munsell, *United States Attorney;* Karen P. Tandy, *Assistant United States Attorney;* June Seraydar, *Special Assistant United States Attorney.*

In The United States District Court for the Eastern District of Virginia, Alexandria Division

UNITED STATES OF AMERICA

vs.

JOHN DOE #462, *Defendant*

GRAND JURY NO. 83-2

Friday, December 28, 1984

Alexandria, Virginia

Transcript of the Court's ruling in the above-captioned matter.

BEFORE: The Honorable ALBERT V. BRYAN, JR., Judge, United States District Court

APPEARANCES:

FOR THE UNITED STATES: JOSEPH P. ARONICA, ESQUIRE, KAREN P. TANDY, ESQUIRE, Assistant United States Attorneys, 701 Prince Street, Alexandria, Virginia 22314.

FOR THE DEFENDANT: JOHN M. DOWD, ESQUIRE, NEIL J. WELCH, JR., ESQUIRE, LISA J. STARK, ESQUIRE, OF: Heron, Burchette, Ruckert & Rothwell, 1025 Thomas Jefferson Street, N.W., Suite 700, Washington, D.C. 20007.

[109] PROCEEDINGS

THE COURT: First of all, I think it is important to identify what documents we are talking about and which ones were viewed by Ms. Tandy. I take it from her testimony that she did not view the five documents—or maybe it was four. She did not view Documents 101-41, 101-56, 112-19, and 101-45 and 112-14. Those are the

four documents which were the subject of the Court of Appeal's reversal as to three of them, I think, and reversal with the direction to redact part of them as to two.

However, Agent Holleran did view them. Ms. Tandy also viewed those documents determined to be privileged in this Court's order of June 8, specifically June 8, 1984, and specifically those documents listed at the top of page 6. Agent Holleran also viewed those. Agent Meckley viewed everything Ms. Tandy viewed.

Ms. Tandy also fanned, as she put it, the inventory attached to the letter of Mr. Lips and which was the subject of a prior hearing in another case and which, I am told, although this Court and the Court of Appeals upheld the privilege, that it is still subject to review.

In any event, at this stage, it is something she should not have looked at, and she certainly did.

Insofar as the manner in which she acquired possession of the documents, I do not find that she set out [110] deliberately to circumvent the Court's order by viewing documents that she knew she was not supposed to. I do think, however, that in perhaps overzealousness she moved a little fast and took risks that she ought not to have taken, and I think to rely upon the Clerk's office or an employee of mine to look at documents that had previously been sealed by the Court without a Court order is carelessness, although, as I said, not a deliberate attempt to circumvent the Court's order.

Her disclaimer of any concern with the numbers is, it seems to me, of small comfort to the government. Numbers were the way the documents were referred to in the order of this Court, in the ruling of the Fourth Circuit, and they were clearly stamped on the folders containing the documents listed on page 6 of my June 8 opinion. With an easy comparison it could have been determined that they were among those ruled privileged.

But the damage was done, and I see no way to cure it other than disqualification of Ms. Tandy, Agent Holleran, and Agent Meckley from further participation in the in-

vestigation of the Reckmeyers that these documents were sought to support.

It is a drastic remedy, and I accept the government's concern that this investigation has progressed to an extent that it will be a hardship on the government [111] for a new Assistant United States Attorney and new agents to familiarize themselves with the case using only non-privileged documents to an extent where they can continue the grand jury investigation that has been begun.

I do not extend the disqualification to Striker or Preston or Cusick, really, because I don't think that what he gleaned is from the privileged documents. But I do think that Ms. Tandy and Holleran and Meckley should be disqualified from participating directly or indirectly in any further investigation that was being conducted and which the subpoenas which sought these documents sought to further.

They will be prohibited from discussing the case with any person who does appear before a grand jury in that investigation or any subsequent grand jury that might continue the investigation.

They will be directed to forward to the Court under seal any notes or questions that Mr. Meckley prepared that Ms. Tandy has in her file. They will be directed to inquire of Mr. Holleran as to whether he made any notes that he kept or that he has in his possession or if he knows of their whereabouts or anybody that he talked to about it, knowledge of which comes to the attention of Mr. Aronica after inquiry.

I will prepare the order.

Court will stand adjourned.

(Whereupon at 5:27 p.m., Court was adjourned.)

In The United States District Court for the Eastern District of Virginia, Alexandria Division

In re: JOHN DOE NO. 462 (Robert J. and Patricia L. Reckmeyer)

GRAND JURY NO. 83-2

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

Upon consideration of the evidence adduced before the court on December 28, 1984, in addition to the parties' written stipulation of facts (attached as Appendix A), the court makes the following findings of fact and conclusions of law:

1. On November 23, 1984, following the decision of the United States Court of Appeals for the Fourth Circuit (Nos. 84-1508, 1627, 1628, November 16, 1984), United States Customs Special Agent Tim Holleran (Holleran), at the direction of Assistant United States Attorney Karen P. Tandy (Tandy), picked up from the clerk's office the box of documents that were the subject of that appeal. That box was apparently still then in the same condition as when received by the clerk's office from the Court of Appeals.

2. That is authorizing agent Holleran to pick up the box of documents, Tandy was acting on information received from the clerk's office and the court's staff which apparently led her to believe that the court had reviewed the documents, redacted those which the Court of Appeals directed to be redacted, and removed those found to be privileged. In fact the court had not opened the box or taken any action with regard to the documents.

3. The box of documents, by this time unsealed, were delivered by Holleran to Tandy's office, where she reviewed some of them briefly. Included among these documents were Nos. 10190-91, 11202-11205, 11215, 11218,

11348-11251, 11359-11362, 11363-11374, 11376-11379, 11380, 11381-11383, 11384-11385, 11386-11391, 11392-11393, 11394-11406, 11407-11410, 11440-11441, 11442-11445, 11446, 11447-11450, and 11453-11456, which the court had found to be privileged in its June 8, 1984 Memorandum Opinion and Order. In her examination of the documents, then and later the same day, Tandy made no comparison of the separate numbered file folders, one for each document, with the document numbers referred to in the decision of the Court of Appeals and the June 8, 1984 decision of this court, although those numbers were on the outside of each file folder as well as on each document. Loose in the box was document No. 11453, a letter of June 16, 1982, from the law firm of Odin, Feldman and Pittleman, which had been found to be privileged. Tandy examined that document.

4. All the documents were then turned over to agent Holleran for examination. After he had taken the documents to his office, he telephoned Tandy, told her he was examining the documents, and asked whether he should examine the documents marked privileged. Tandy told him he should. He reviewed all the documents in the box, including the privileged and to-be-redacted documents.

5. Later that same day, November 23, 1984, Holleran returned the documents to Tandy. She went over all the documents; however, nothing that documents 10141, 10156, 10145, 11219 and 11214 were bound together with a rubber band with a slip of paper on the outside indicating they were documents found by the Fourth Circuit to be privileged and required to be redacted, she put those aside and did not examine them.

6. On November 26, 1984, in preparation for a grand jury session on November 27, 1984, at which the witness Egbert Jonker was expected to testify, Tandy turned over to Internal Revenue Special Agent James Meckley (Meckley) all of the documents she had examined, including the documents found to be privileged in this court's ruling of June 8, 1984, but apparently not including documents

10141, 10156, 10145, 11219 and 11214. Meckley examined all the documents Tandy turned over to him.

6. None of the privileged documents now at issue or their contents has been shown or revealed to Grand Jury 83-2; however, document 11453, the June 16, 1982 letter, was shown to Grand Jury 84-3.

7. Neither Tandy, Holleran nor Meckley has discussed the contents of the privileged documents with anyone else or disclosed the documents to anyone else, except the one disclosure, above-mentioned, to Grand Jury 84-3.

8. Tandy has in her file notes or questions, prepared by Meckley from his examination of the documents for her use before Grand Jury 84-3.

From the foregoing the court concludes that the remedy suggested by the United States, namely, no further use by the government of the privileged documents and their return to counsel for the Reckmeyers, will not adequately maintain the integrity of the confidential attorney-client privilege, and cannot insure that those who have viewed the documents will not, even subconsciously, be affected by knowledge gained thereby in pursuing the investigation of the Reckmeyers. The court further concludes that the only adequate appropriate remedy is disqualification of the Assistant United States Attorney and two agents from further participation in the investigation.

Accordingly, it is hereby ORDERED that:

1. Assistant United States Attorney Karen P. Tandy, United States Customs Special Agent Tim Holleran, and Internal Revenue Service Special Agent James Meckley are disqualified and prohibited from directly or indirectly participating in the investigation now being conducted by Grand Jury 83-2, or any subsequent grand jury investigation of Robert J. Reckmeyer and Patricia L. Reckmeyer, in furtherance of which the subpoenas, which were quashed in part be this court's order of June 8, 1984 and by the decision of the United States Court of Appeals for the Fourth Circuit (Nos. 84-1508, 1682, November 26,

1984), were issued. They are further enjoined from directly or indirectly revealing the contents of the privileged documents to any other person.

2. Assistant United States Attorney Karen P. Tandy shall forthwith file with the court under seal the notes or questions prepared by Special Agent Meckley and which she testified are still in her file.

3. Inquiry shall be made of Special Agent Holleran to determine whether he has any notes made as a result of his viewing of the documents which the said decisions of this court and the Court of Appeals has ruled are privileged. If any such notes exist they should be filed with the court under seal forthwith.

ALBERT V. BRYAN, Jr., *United States District Judge.*

Alexandria, Virginia
December 28th, 1984

In The United States District Court for the Eastern District of Virginia, Alexandria Division

In Re: John DOE No. 462

GRAND JURY NO. 84-3

STIPULATION

Robert B. Reckmeyer and the United States hereby agree to the following facts in connection with the hearing set for December 28, 1984:

1. Karen P. Tandy is an Assistant United States Attorney for the Eastern District of Virginia and has been in charge of the investigation known as John Doe 462 since March of 1983.

2. On August 26, 1983, Assistant United States Attorney Tandy caused a federal grand jury subpoena *duces tecum* to be issued to the law firm of Odin, Feldman & Pittleman requesting the production of documents pertaining to Robert B. Reckmeyer.

3. On September 26, 1983, Odin, Feldman & Pittleman produced non-privileged documents responsive to the August 30, 1983 subpoena.

APPENDIX A

4. On March 1, 1984, Assistant United States Attorney Tandy caused to be issued a grand jury subpoena *duces tecum* to James Pittleman of the law firm of Odin, Feldman & Pittleman requesting production of all records relating to transactions between the law firm and Robert B. Reckmeyer and Christopher Reckmeyer.

5. On March 7, 1984, James Pittleman produced nonprivileged documents to the United States concerning Christopher Reckmeyer.

6. On March 21, 1984, Assistant United States Attorney Tandy caused to be issued two grand jury subpoenas *duces tecum* to Robert B. Reckmeyer, which sought business records. On March 22, 1984, a third subpoena served

on Mr. Reckmeyer in his individual capacity called for the production of his personal records.

7. On April 10, 1984, Robert B. Reckmeyer filed a Motion to Quash on Fifth Amendment grounds that portion of the subpoena *duces tecum* served on him in his individual capacity which called for the production of his personal records.

8. On April 13, 1984, this Court granted Robert B. Reckmeyer's Motion to Quash the subpoena *duces tecum* to the extent that it called for the production of his personal records. This Court directed counsel for Mr. Reckmeyer to submit an *in camera* list of those documents asserted to be personal records.

9. On April 18, 1984, Mr. Reckmeyer submitted the inventory list of personal documents with a cover letter indicating that the list was being filed as an *in camera* submission.

10. On April 19, 1984, this Court issued a memorandum opinion finding Reckmeyer's documents "clearly to be personal" and protected by the Fifth Amendment. This Court also ordered that the *in camera* list be sealed.

11. On March 9, 1984, Assistant United States Attorney Tandy caused to be issued a grand jury subpoena *duces tecum* to Egbert Jonker requesting the production of all records concerning all corporations of Robert Reckmeyer and Chris Reckmeyer. An identical subpoena *duces tecum* was issued to the Custodian of Records of Mr. Jonker's law firm, Loyens & Volkmaars.

12. On April 12, 1984, a second subpoena *duces tecum* was issued to Egbert Jonker requesting the production of all records concerning Robert B. Reckmeyer and Chris Reckmeyer and his businesses.

13. On April 16, 1984, Egbert Jonker moved to quash the three subpoenas issued to him and his law firm on the grounds of Robert B. Reckmeyer's attorney-client privilege.

14. On April 24, 1984, Robert B. Reckmeyer moved to intervene and to quash the three subpoenas to Egbert Jonker and his law firm.

15. On April 27, 1984, at the hearing on Robert B. Reckmeyer's Motion to Quash the Jonker subpoenas, counsel for Robert Reckmeyer submitted the four Jonker documents claimed as privileged to the Court *in camera.*

16. On May 3, 1984, the Court issued a Memorandum Opinion and Order denying Reckmeyer's Motion to Quash and ordering the production of the four Jonker documents.

17. On May 9, 1984, Robert B. Reckmeyer filed a Notice of Appeal from the Court's May 3, 1984, Order denying the Motion to Quash as to the four Jonker documents.

18. On May 10, 1984, this Court stayed its Order of May 3, 1984, concerning the Jonker documents pending appeal to the Fourth Circuit Court of Appeals.

19. On May 18, 1984, the United States filed a Notice of Appeal from the April 19, 1984, Order granting the Motion to Quash as to Robert Reckmeyer's personal documents.

20. On May 23, 1984, the law firm of Odin, Feldman & Pittleman filed a motion for *in camera* inspection of the documents responsive to the subpoenas issued to the law firm.

21. On May 30, 1984, Robert B. Reckmeyer filed a Motion to Intervene and to Quash the subpoenas issued to Odin, Feldman & Pittleman.

22. On June 1, 1984, at the hearing on the Motions to Quash the Odin, Feldman & Pittleman subpoenas, the Court directed Robert Reckmeyer to submit *in camera* the documents claimed as privileged along with an inventory list of the documents and the reasons why he was asserting the privilege.

23. On June 4, 1984, Robert B. Reckmeyer submitted *in camera* to this Court 45 numbered documents to which he claimed the attorney-client privileged along with copies of those documents. Each page of each document was la-

beled with a specific number and was in a separate manila folder which was labeled on the outside.

24. On June 8, 1984, this Court issued a memorandum opinion and Order granting Reckmeyer's Motion to Quash with regard to 14 documents submitted *in camera* ruling that these documents were protected by the attorney-client privilege. On page 6 of this Court's Memorandum Opinion, the Court found privileged the documents numbered 10190-91, 11202-11205, 11215, 11218, 11348-11351, 11359-11362, 11363-11374, 11376-11379, 11380, 11381-11383, 11394-11385, 11386-11391, 11392-11393, 11394-11406, 11407-11410, 11440-11441, 11442-11445, 11446, 11447-11450, and 11453-11456. The Court ordered all papers and submissions sealed. Assistant United States Attorney Tandy read the opinion.

25. On June 8, 1984, the Court also found some documents not privileged.

26. On June 13, 1984, Robert B. Reckmeyer filed a Notice of Appeal from the June 8, 1984, Order denying in part his Motion to Quash. The Court also issued on Order staying its Order of June 8, 1984 pending appeal.

27. On June 27, 1984, the United States Court of Appeals for the Fourth Circuit consolidated the Jonker (84-1548L) and the Odin, Feldman & Pittleman (84-1627) and 84-1628) appeals.

28. On September 24, 1984, the United States Court of Appeals for the Fourth Circuit affirmed the District Court's decision with regard to Robert B. Reckmeyer's claim of Fifth Amendment privilege on the personal documents. The mandate Order was issued on September 24, 1984 (84-1527).

29. On November 16, 1984, the United States Court of Appeals for the Fourth Circuit affirmed the District Court's decision in part finding the four Jonker documents not privileged. As to Odin, Feldman & Pittleman documents, the Court of Appeals affirmed the District Court's Order denying the Motion to Quash except as to five other documents. The Fourth Circuit ruled that docu-

ments numbered 110156, 11214, and 11219 were privileged and portions of documents numbered 10141 and 10145 were protected by the attorney-client privilege. Subsequent to the decision, the Fourth Circuit sent all the documents involved in the case back in the United States District Court for the Eastern District of Virginia, Alexandria Division.

30. On Monday, November 19, 1984, Assistant United States Attorney, Karen Tandy received and read a copy of the Fourth Circuit Opinion of November 16, 1984, and was aware that certain documents were held to be privileged.

* * * * *

45. On November 27, 1984, Egbert Jonker appeared and testified before Grand Jury 84-3.

* * * * *

47. On November 27, 1984, Mr. Jonker appeared before the grand jury. Assistant United States Attorney Tandy introduced to the grand jury Document number 11447-11450, the letter of June 16, 1982, from James Pittleman to Robert Reckmeyer which this Court held to be privileged on June 8, 1984.

* * * * *

49. On November 28, 1984, the following documents with manila folders were returned to the Court: 11218, 11215, 11363-11374, 11440-11441, 11380, 11381-11383, 11386-11391, 11384-11385, 11392-11393, 11394-11406, 11407-11410, 10190-10191. Document number 11446, a letter dated 8/20/82 from James Pittleman to Egbert Jonker which was without a manila folder was returned to the Court on November 28, 1984. In addition, a duplicate copy of document number 11440-11441, a privileged memorandum from Egbert Jonker to Pim Bertels dated August 23, 1982 which had portions underscored in

yellow was also returned to the Court on November 28, 1984.

* * * * *

55. On November 29, 1984, counsel for Mr. Reckmeyer wrote and had hand delivered a letter to Assistant United States Attorney Aronica indicating that the seven aforemention documents were missing from the Court files and requesting a search for those documents in the government files.

56. On November 30, 1984, Assistant United States Attorney Justin Williams sent a letter to the Court with a copy to counsel indicating that the seven aforementioned documents had been found in government's files and were being returned to the Court. * * *

57. On December 3, 1984, the seven aforementioned privileged documents were returned to the Court.

58. On December 10, 1984, counsel for Robert Reckmeyer filed a Motion for An *In Camera* Evidentiary Hearing and Other Appropriate Relief and a Memorandum of Points and Authorities in Support thereof.

59. On December 11, 1984, the Court wrote a letter to John M. Dowd, Neil J. Welch, Jr. and Elsie L. Munsell, setting an evidentiary hearing on possible unauthorized disclosure of privileged documents for Friday, December 21, 1984 at 2:00 p.m.

* * * * *

61. On Friday, December 14, 1984, in preparation for the scheduled hearing of December 21, 1984 counsel for Robert Reckmeyer issued a subpoena *duces tecum* to Assistant United States Attorney Karen Tandy. In addition to requesting Ms. Tandy's appearance at the evidentiary hearing, the subpoena called for the production of all copies of the privileged June 16, 1982 letter from James Pittleman to Robert Reckmeyer in the Government's possession.

62. On December 14, 1982, a copy of document numbered 11453-11456 was returned to the Court by the government in a sealed envelope. Document Number 11453-11456 is a copy of the June 16, 1982 from James Pittleman to Robert B. Reckmeyer which had already been returned in a sealed envelope of December 3, 1984. The copy of Document numbered 11453-11456 had portions which were underlined in yellow.

Agreed to on December 28, 1984 by: Joseph J. Aronica, *Assistant United States Attorney,* Eastern District of Virginia; John M. Dowd, Heron, Burchette, Ruckert & Rothwell, Suite 700, 1025 Thomas Jefferson St., Washington, D.C. 20007.

Supreme Court of the United States

No. 84–823

UNITED STATES, PETITIONER

v.

JOHN DOE NO. 462

ORDER ALLOWING CERTIORARI. Filed *January 21, 1985.*

The petition herein for a writ of certiorari to the *United States Court of Appeals for the Fourth Circuit* is granted.

Justice Powell took no part in the consideration or decision of this petition.